

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 709

H.P. 525

House of Representatives, February 25, 1993

**An Act to Encourage the Implementation of the Solid Waste
Management Hierarchy.**

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SAXL of Bangor.

Cosponsored by Representatives: COLES of Harpswell, CROSS of Dover-Foxcroft, GOULD of Greenville, HOLT of Bath, Senator: BALDACCI of Penobscot.

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 38 MRSA §1303-C, sub-§29**, as amended by PL 1989, c. 869, Pt. A, §5 and affected by §21, is further amended to read:

6 **29. Solid waste.** "Solid waste" means useless, unwanted or
8 discarded solid material with insufficient liquid content to be
10 free-flowing, including, but not limited to, rubbish, garbage,
12 refuse-derived fuel, scrap materials, junk, refuse, inert fill
14 material and landscape refuse, sewage treatment plant sludge, but
16 does not include hazardous waste, biomedical waste, septic tank
18 sludge or agricultural wastes. The fact that a solid waste or
20 constituent of the waste may have value or other use or may be
22 sold or exchanged does not exclude it from this definition.

24 **Sec. 2. 38 MRSA §2132, sub-§3**, as enacted by PL 1991, c. 492,
26 §3, is amended to read:

28 **3. Beneficial use of waste.** Composting, land application,
30 processing to reduce volume, incineration and other uses higher
32 on the solid waste management hierarchy of solid waste that
34 otherwise would be landfilled constitute partial recycling in
36 determining whether the goals in subsection 1 are being met. The
38 agency shall adopt, by rule, a percentage recycling credit for
40 each method of solid waste management according to its relative
42 effect in reducing the utilization of landfill space, the
44 avoidance of raw natural material utilization and the extent to
46 which a higher position on the waste management hierarchy is
48 achieved. The use of waste paper or corrugated cardboard as a
fuel in industrial boilers for the generation of heat, steam or
electricity constitutes recycling for the sole purpose of
determining whether the goals in subsection 1 are met and if the
wastes would otherwise be placed in a landfill, if the office
determines that there is no reasonably available market in the
State for recycling that waste and if the wastes are incinerated
as a substitute for, or supplement to, fossil or biomass fuels
that constitute the primary fuels incinerated in the industrial
boiler.

STATEMENT OF FACT

42 This bill amends the definition of solid waste by including
44 sewage treatment plant sludge. The bill also adds composting,
46 land application, processing to reduce volume and incineration as
48 means of recycling and directs the agency to adopt rules to
create a recycling credit for each method of solid waste
management used to reduce the utilization of landfill space.