

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 447

H.P. 326

House of Representatives, February 8, 1995

### **An Act Regarding the Expansion of Certain Waste Disposal Facilities.**

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Received by the Clerk of the House on February 6, 1995. Referred to the Committee on Natural Resources and ordered printed pursuant to Joint Rule 14.

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

JOSEPH W. MAYO, Clerk

Presented by Representative GOULD of Greenville.  
Cosponsored by Representatives: MARSHALL of Eliot, POULIN of Oakland.

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

4 **Sec. 1. 38 MRSA §1310-X, sub-§3, ¶B,** as repealed and replaced  
by PL 1991, c. 297, §1, is amended to read:

6 B. The department determines that the proposed expansion is  
contiguous with the existing facility and is located on  
8 property owned on December 31, 1989 by the licensee on  
September 30, 1989 or by a corporation or other business  
10 entity under common ownership or control with the licensee;  
and  
12

14 **STATEMENT OF FACT**

16 Currently, the Department of Environmental Protection may  
approve the expansion of an existing commercial solid waste  
18 disposal facility or biomedical waste disposal or treatment  
facility under certain limited circumstances. To consider such  
20 an expansion of an existing facility, the facility had to have  
been licensed prior to October 6, 1989; the expansion must be on  
22 land contiguous with the facility and on property owned by the  
licensee on September 30, 1989; and the expansion must meet the  
24 needs criteria of the state plan regarding solid waste management.

26 This bill amends the current law by allowing the Department  
of Environmental Protection to consider a proposal for the  
28 expansion of an existing facility if the expansion is to be  
located on contiguous property owned by the licensee, or by a  
30 corporation or other business entity under common ownership or  
control with the licensee, on December 31, 1989 rather than on  
32 September 30, 1989. All other existing limitations on expansions  
as well as the existing review and approval processes will remain  
34 in place.