

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1241

H.P. 888

House of Representatives, April 11, 1995

An Act to Repeal the 100-foot Setback from Landfills for Recycling Facilities.

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

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

JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot.

Cosponsored by Representatives: BUCK of Yarmouth, CLARK of Millinocket, DAMREN of Belgrade, DEXTER of Kingfield, GOULD of Greenville, GREENLAW of Standish, GUERRETTE of Pittston, Senators: CASSIDY of Washington, LORD of York.

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

Sec. 1. 38 MRSA §1304, sub-§1-C is enacted to read:

1-C. Location of recycling facilities. The board may not adopt a rule prohibiting the location of a recycling facility within 100 feet of the solid waste boundary of an active or closed solid waste disposal facility.

Sec. 2. Validity of existing rule. Any rule adopted by the Board of Environmental Protection prior to the effective date of this Act is invalid if that rule prohibits recycling facilities from being located within 100 feet of the solid waste boundary of an active or closed solid waste disposal facility.

STATEMENT OF FACT

Current Board of Environmental Protection rules require transfer facilities, including recycling facilities, to be located at least 100 feet from the solid waste boundary of an active or closed solid waste disposal facility. This bill repeals the authority of the board to adopt such a rule and invalidates the existing rule.