

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

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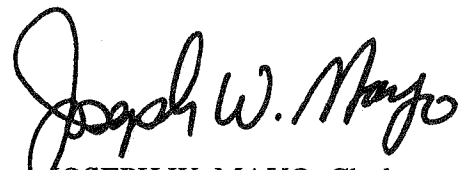
H.P. 1408

House of Representatives, January 8, 1998

**An Act to Implement the Recommendations of the Interagency
Committee on Outdoor Trash Burning.**

Reported by Representative ROWE for the Department of Environmental Protection
pursuant to Public Law 1997, chapter 512.

Reference to the Joint Standing Committee on Natural Resources suggested and printing
ordered under Joint Rule 218.


JOSEPH W. MAYO, Clerk

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

2 **Sec. 1. 12 MRSA §9321, sub-§1, ¶H,** as amended by PL 1997, c.
4 512, §1, is further amended to read:

6 H. Experience and capability of the permittee in the safe
8 use and control of the proposed burning; and

10 **Sec. 2. 12 MRSA §9321, sub-§1, ¶I,** as enacted by PL 1997, c.
12 512, §2, is amended to read:

14 I. In issuing a permit under section 9325, subsection 1,
16 paragraph E, any prior convictions for violating that
18 paragraph or section 9324, subsection 7+; and

20 **Sec. 3. 12 MRSA §9321, sub-§1, ¶J** is enacted to read:

22 J. The proximity to any allowable burning, with respect to
24 property lines and residential dwellings, must be a minimum
26 of 300 feet.

28 **Sec. 4. 12 MRSA §9326** is enacted to read:

30 **§9326. Public education**

32 A program of public education on the health, environmental
34 and fire-safety impacts or out-of-door burning is established
36 within the Bureau of Forestry. The director shall administer the
38 program in conjunction with the Department of Environmental
40 Protection and the State Planning Office.

42 **Sec. 5. 38 MRSA §2133, sub-§2-A,** as amended by PL 1995, c.
44 656, Pt. A, §36, is further amended to read:

46 **2-A. Technical and financial assistance program.** A program
of technical and financial assistance for waste reduction and
recycling is established in the office to assist municipalities
with managing solid waste. The director shall administer the
program in accordance with the waste management hierarchy in
section 2101. Preference in allocating resources under this
section must be given to municipalities that take advantage of
regional economies of scale or that provide a municipal trash
collection service as defined in Title 12, section 9324,
subsection 7.

SUMMARY

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This bill makes changes in the provisions of the Maine Revised Statutes, Title 12, chapter 807, Forest Fire Control and Title 38, chapter 24, Solid Waste Management and Recycling to:

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1. Address citizen complaints about the numerous barrel incinerators in the State and the concern for public health impacts from localized emissions of backyard trash burning that include high levels of fine particulates, dioxin, furans and other hazardous air pollutants;

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2. Provide incentives for municipalities to reduce the incidence of backyard trash burning through the implementation of recycling and municipal trash collection service; and

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3. Establish a program of public education to be administered in conjunction with the Department of Environmental Protection and the State Planning Office. The public education program is intended to provide education and outreach activities for primary and secondary schools, along with the distribution of educational materials concurrent with the issuance of any open-burning permit.

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