

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 301

H.P. 223

House of Representatives, January 14, 1999

An Act to Amend the Open-burning Laws.

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 FULLER of Manchester. (By Request)

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

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

6 G. The presence or availability of sufficient force and equipment to control the burning; and

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10 **Sec. 2. 12 MRSA §9321, sub-§1, ¶H**, as amended by PL 1997, c. 672, §1, is further amended to read:

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

14
16 **Sec. 3. 12 MRSA §9321, sub-§1, ¶I**, as amended by PL 1997, c. 672, §2, is repealed.

18 **Sec. 4. 12 MRSA §9321, sub-§1, ¶J**, as enacted by PL 1997, c. 672, §3, is repealed.

20
22 **Sec. 5. 12 MRSA §9324, sub-§7**, as enacted by PL 1997, c. 512, §5, is amended to read:

24 ~~7. **Trash.** Out-of-door burning of highly combustible trash is prohibited where municipal trash collection service is available and will accept those materials.~~ Out-of-door burning of highly combustible trash, plastics, rubber, styrofoam, metals, food wastes or chemicals is prohibited in all areas of the State.

30 For purposes of this subsection, the following ~~terms have term~~ has the following ~~meanings meaning~~.

32 A. "Highly combustible trash" means wooden boxes or other wood material, paper and cardboard.

36 ~~B. "Municipal trash collection service" means any curbside trash collection service that is operated or contracted for by the municipality or that is required by municipal ordinance.~~

40 **Sec. 6. 12 MRSA §9324, sub-§8** is enacted to read:

42 8. **Demolition debris.** The burning of demolition debris at solid waste disposal facilities is prohibited.

46 **Sec. 7. 12 MRSA §9325, sub-§1, ¶E**, as repealed and replaced by PL 1997, c. 512, §6, is repealed.

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50 **Sec. 8. 12 MRSA §9325, sub-§1, ¶J**, as enacted by PL 1991, c. 36, §4, is amended to read:

2 J. The burning of brush ~~and-demolition-debris~~ at municipal
solid waste disposal facilities.

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SUMMARY

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8 This bill prohibits the out-of-door burning of wooden boxes
or other wood material, paper and cardboard and the burning of
demolition debris at solid waste disposal facilities.

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12 The bill also eliminates as criteria for issuing any permit
or permission for allowable burning the public health risk from
14 toxic chemicals in the smoke plume and the practicality of
locating the incinerator at least 300 feet from any abutting
property boundary and at least 150 feet from any residential
16 dwelling.