

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1516

S.P. 515

In Senate, February 25, 1999

**An Act Concerning Disposal of Solid Waste from Decommissioning
Activities.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Representative SHIAH of Bowdoinham and
Senators: NUTTING of Androscoggin, RUHLIN of Penobscot, Representatives:
TOWNSEND of Portland, TRACY of Rome.

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

4 **Sec. 1. 38 MRSA c. 13-D is enacted to read:**

6 **CHAPTER 13-D**

8 **NUCLEAR POWER PLANT DECOMMISSIONING WASTE**

10 **§1391. Definitions**

12 As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

14 1. **Closed nuclear power plant.** "Closed nuclear power plant" means a nuclear fission thermal power plant that has ceased to generate electricity and is permanently retired from active service.

18 2. **Decommissioning materials.** "Decommissioning materials" means any materials, whether solid or fluid, removed from a closed nuclear power plant, other than licensed discharges from the plant.

22 3. **Dispose of.** "Dispose of" means to deposit or attempt to deposit in the land or waters of this State.

24 **§1392. Prohibition**

26 A person may not dispose of decommissioning materials without a permit issued by the department pursuant to this chapter.

28 **§1393. Permit; fee; rules**

30 An application for a permit to dispose of decommissioning materials must be on a form designated by the department. The application must specify the materials that the applicant seeks to dispose of and the location where the applicant proposes to dispose of these materials. When an application for a permit under this section is received by the department, the department shall notify the municipality in which the proposed disposal site is located. A permit may not be issued for the disposal of decommissioning materials if the department determines that the materials pose a threat to the public health, safety or welfare.

34 The department may adopt rules implementing this section that establish standards consistent with this section for the issuance of permits and that establish a fee for the processing of permit applications. Any fee established by rule must be sufficient to recover all costs of administering, monitoring compliance with and enforcing the provisions of this chapter.

2 Fees collected pursuant to this section must be deposited in the
3 Maine Environmental Protection Fund. Rules adopted pursuant to
4 this section are routine technical rules as defined in Title 5,
5 chapter 375, subchapter II-A.

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8 SUMMARY

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10 This bill establishes a permit requirement for disposal in
11 this State of decommissioning materials from a nuclear power
12 plant. The bill also requires notice to any municipality in
which decommissioning materials are proposed to be disposed of.