MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1449

H.P. 1080

House of Representatives, March 5, 2001

Millient M. Mac Failand

An Act to Ensure Municipal Authority over Sludge and Septage Land Spreading Sites.

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

MILLICENT M. MacFARLAND, Clerk

Presented by Representative COWGER of Hallowell. Cosponsored by Senator KILKELLY of Lincoln and Representative DUPLESSIE of Westbrook, Senator: TREAT of Kennebec.

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

Sec. 1. 38 MRSA §1310-U, first ¶, as amended by PL 1995, c. 4
656, Pt. A, §26, is further amended to read:

Municipalities Except as provided in this section, municipalities are prohibited from enacting stricter standards than those contained in this chapter and in the solid waste management rules adopted pursuant to this chapter governing the hydrogeological criteria for siting or designing solid waste disposal facilities or governing the engineering criteria related to waste handling and disposal areas of a solid waste disposal facility. Except as provided in section 2173, municipalities are further prohibited from enacting or applying ordinances that regulate solid waste disposal facilities owned by the office or a regional association.

Sec. 2. 38 MRSA §1310-U, as amended by PL 1995, c. 656, Pt. A, §26, is further amended by adding after the 2nd paragraph a new paragraph to read:

Nothing in this section prohibits a municipality from enacting standards that are stricter than those standards adopted under this chapter for the land spreading of sludge or septage if the governing body of the municipality votes in favor of the stricter standards, and if the municipality has provided for alternative disposal for all sludge or septage generated within that municipality.

SUMMARY

This bill allows a municipality to enact stricter standards than the standards adopted by the Department of Environmental Protection for the land spreading of sludge and septage, provided the governing body of the municipality votes in favor of the stricter standards, and the municipality has provided for alternative disposal for all sludge or septage generated within that municipality.