

# MAINE STATE LEGISLATURE

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DATE: May 11, 2001

(Filing No. S-178)

**NATURAL RESOURCES**

Reported by:

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 479, L.D. 1543, Bill, "An Act to Reduce the Release of Dioxin from Consumer Products into the Environment"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 12 MRSA §9324, sub-§7, as enacted by PL 1997, c. 512, §5, is amended to read:

**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 plastics, rubber, styrofoam, metals, food wastes or chemicals is prohibited in all areas of the State.

For purposes of this subsection, the following terms have the following meanings.

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

B. "Municipal trash collection service" means any a transfer station, curbside trash collection service or other service that is operated or contracted for by the municipality or that is required by municipal ordinance.

Sec. 2. 12 MRSA §9324, sub-§8 is enacted to read:

8. Construction and demolition debris. The out-of-door burning of construction and demolition debris containing

**COMMITTEE AMENDMENT**

2 plastics, rubber, styrofoam, metals, food wastes or chemicals is  
3 prohibited.

4 **Sec. 3. 38 MRSA §2132, sub-§4** is enacted to read:

6 **4. Reduction in dioxin.** It is the policy of the State to  
7 reduce the total release of dioxin and mercury to the environment  
8 with the goal of its continued minimization and, where feasible,  
9 ultimate elimination.

10 **Sec. 4. One-time education program.** The Department of  
12 Environmental Protection, contingent upon available resources,  
13 shall implement a one-time education program relating to  
14 dioxin-forming products as set forth in this section.

16 **1. Educational information.** The program implemented under  
17 this section must provide information to the public about the  
18 environmental health hazards of dioxin-forming products, how to  
19 identify labeled dioxin-forming products, the requirements of the  
20 law regarding burning of waste dioxin-forming products and  
21 collection programs or disposal options that are available to the  
22 public to facilitate land disposal of waste dioxin-forming  
23 products.

24 **2. Dissemination of information.** Priority for the  
25 dissemination of educational information developed under this  
26 program must be given to persons who live in:

28 A. Municipalities that do not provide municipal trash  
29 service as defined in the Maine Revised Statutes, Title 12,  
30 section 9324, subsection 7 and do not prohibit out-of-door  
31 burning of highly combustible trash; and

34 B. Municipalities that burn demolition debris at municipal  
35 solid waste disposal facilities.

36 **3. Grants.** The Department of Environmental Protection and  
37 the State Planning Office may, within available resources, award  
38 grants to eligible municipalities, regional associations,  
39 sanitary districts, sewer districts and nonprofit organizations  
40 to achieve the educational purposes of this section.'

42 Further amend the bill by inserting at the end before the  
43 summary the following:

46 **FISCAL NOTE**

48 The Department of Environmental Protection will incur some  
49 minor additional costs to implement a one-time education program

2 pertaining to dioxin-forming products. These costs can be  
absorbed within the department's existing budgeted resources.

4 The Department of Environmental Protection and the State  
6 Planning Office within the Executive Department may incur some  
minor additional costs to award certain grants. These costs can  
8 be absorbed within the agencies' existing budgeted resources.'

10 **SUMMARY**

12 This amendment replaces the bill. The amendment clarifies  
14 that the out-of-door burning of highly combustible trash is  
prohibited when municipal trash service is provided, not just in  
16 those towns having curbside trash collection services. The  
amendment also bans the out-of-door burning of construction and  
18 demolition debris containing plastics, rubber, styrofoam, metals,  
food wastes or chemicals and adds a state goal to reduce the  
20 release of dioxin and mercury to the environment. The amendment  
also includes the outlines of a dioxin-related education program  
22 included in the bill, but clarifies that it is to be a one-time  
program that must be implemented within existing budgeted  
24 resources of the Department of Environmental Protection. The  
amendment adds a fiscal note to the bill.