

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1897

S.P. 695

In Senate, December 17, 2001

An Act to Facilitate the Closure of Privately Owned Solid Waste Landfills.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Natural Resources and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator SAWYER of Penobscot.
Cosponsored by Representative DAIGLE of Arundel and
Representative: KOFFMAN of Bar Harbor.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** this legislation allows the owner or operator of a
privately owned solid waste disposal facility to use the
financial assurance mechanisms allowed under federal law for
closure and post-closure care of the facility; and

10 **Whereas,** the enactment of this legislation will facilitate
the closure of privately owned solid waste landfills; and

12
14 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. 38 MRSA §1310-Y, sub-§1, ¶F,** as enacted by PL 1993, c.
378, §9, is repealed.

24 **Sec. 2. 38 MRSA §1310-Y, sub-§1, ¶G** is enacted to read:

26 G. Any of the allowable assurance mechanisms set forth in
40 Code of Federal Regulations, Section 258.74 or its
28 successor provision, regardless of the type of solid waste
disposal facility.

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32 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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SUMMARY

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38 This bill allows an owner or operator of a licensed solid
waste disposal facility to use the financial assurance mechanisms
allowed under federal law for closure and post-closure care and
40 for corrective action for known releases.