

MAINE STATE LEGISLATURE

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7.015

DATE: 5/31/5

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 430, L.D. 597, Bill, "An Act To Amend the Solid Waste Landfill Laws"

Amend the bill in section 1 by striking out all of subsection 2 (page 1, lines 6 to 22 in L.D.) and inserting in its place the following:

'2. Public hearing. The department may hold an adjudicatory public hearing within the municipality in which the facility may be located or in a convenient location in the vicinity of the proposed facility. The department shall hold an adjudicatory public hearing on an application for a new or expanded commercial or state-owned solid waste disposal facility that accepts special waste upon request from a resident or a property owner in the municipality in which the proposed facility is located. Upon a timely request for an adjudicatory hearing from 5 or more residents in the municipality in which the facility is located or abutting property owners of the facility, the commissioner shall hold an adjudicatory public hearing on an application for a vertical increase in the approved final elevation that would increase the waste disposal capacity of a commercial or state-owned solid waste disposal facility that accepts special waste or the commissioner shall request that the board assume jurisdiction in accordance with section 344, subsection 2-A. At a hearing on an application for a vertical increase in the approved final elevation that would increase the waste disposal capacity, the testimony is limited to issues related to relevant standards of review under chapter 13, subchapter 1-A. The hearing must be conducted in accordance with Title 5, chapter 375, subchapter IV 4. Administrative expenses of a hearing held pursuant to this subsection and all costs incurred by the department in processing an application must be

COMMITTEE AMENDMENT

R. 015

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2 paid for by the applicant person applying for the license as
provided in department rules.'

4 Further amend the bill in section 2 in subsection 5 in the
first paragraph in the 9th line from the end (page 2, line 4 in
6 L.D.) by striking out the following: "9" and inserting in its
place the following: '8'

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10 Further amend the bill in section 2 in subsection 5 in the
first paragraph in the 8th line from the end (page 2, line 5 in
12 L.D.) by striking out the following: "and 2" and inserting in its
place the following: 'and one'

14 Further amend the bill in section 2 in subsection 5 in the
first paragraph in the 5th line from the end (page 2, line 8 in
16 L.D.) by striking out the following: "2 members" and inserting in
its place the following: 'one member'

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SUMMARY

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This amendment requires the Department of Environmental
24 Protection to hold a hearing on or request the Board of
Environmental Protection to assume jurisdiction of applications
26 for a vertical increase in the approved final elevation of a
commercial or state-owned solid waste disposal facility that
28 accepts special waste upon request from 5 or more residents or
abutting property owners in the municipality in which the
proposed facility is located. It provides that testimony at such
30 a hearing is limited to issues related to relevant standards of
review under the solid waste laws. It clarifies that expenses
32 and costs incurred by the department in connection with the
hearing must be paid for by the person applying for the license.
34 It also provides that the Penobscot Nation shall appoint one
member of the joint citizen advisory committee for the West Old
36 Town Landfill.

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FISCAL NOTE REQUIRED
(See attached)

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COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 597

LR 1385(02)

An Act To Amend the Solid Waste Landfill Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund