

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1975

H.P. 1383

House of Representatives, January 25, 2006

An Act To Ensure Adequate Funding for Cleanup of Hazardous Waste, Biomedical Waste and Waste Oil

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KOFFMAN of Bar Harbor. (GOVERNOR'S BILL)
Cosponsored by Senator: COWGER of Kennebec.

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

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Sec. 1. 38 MRSA §1319-I, sub-§1, ¶A, as repealed and replaced by PL 1987, c. 491, §25, is amended to read:

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A. For hazardous waste which that is disposed of on the site of generation in a licensed hazardous waste disposal facility, ~~2.0¢~~ 3¢ a pound; and

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Sec. 2. 38 MRSA §1319-I, sub-§2, ¶A, as amended by PL 1997, c. 258, §1, is further amended to read:

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A. For hazardous waste that is transported off the site to a licensed hazardous waste disposal facility for disposal, ~~2.0¢~~ 3¢ a pound; and

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Sec. 3. 38 MRSA §1319-I, sub-§2, ¶B, as amended by PL 1997, c. 258, §1, is further amended to read:

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B. For hazardous waste that is transported off the site to a licensed hazardous waste treatment facility for treatment, storage facility for storage or other licensed facility for handling, including beneficial reuse, reclamation or recycling, ~~1.5¢~~ 3¢ a pound.

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Sec. 4. 38 MRSA §1319-I, sub-§3, as amended by PL 1987, c. 787, §19, is further amended to read:

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3. Fee for transportation into Maine from out of state. If hazardous waste or waste oil is transported into Maine from out of state, the person who first transports the hazardous waste or waste oil into Maine shall pay a the fee equal to twice the amount indicated by the schedules outlined in subsection 2 for hazardous waste or subsection 4-A for waste oil, as if that person were the waste oil dealer.

~~The commissioner may waive up to 50% of the fee imposed under this subsection if the state from which the hazardous waste or waste oil is transported to Maine observes the same reciprocity with regard to hazardous waste transported to that state from Maine.~~

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Sec. 5. 38 MRSA §1319-I, sub-§4-A, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §259, is further amended to read:

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4-A. Fee on waste oil sale or disposal. A fee of ~~1¢~~ 2¢ a gallon on each gallon of waste oil transported, collected or stored must be paid by the waste oil dealer that first

2 transports, collects or stores that waste oil. Waste oil dealers
3 shall maintain records sufficient to determine whether the dealer
4 is liable for any and all fees imposed pursuant to this
5 subsection and shall submit such records to the commissioner as
6 required by rule of the board.

7 **Sec. 6. 38 MRSA §1319-O, sub-§3, ¶D**, as enacted by PL 1989, c.
8 124, §3, is amended to read:

9 D. The board may assess licensing and registration fees
10 sufficient to pay for the department's administrative costs
11 in regulating biomedical waste.
12

13 **Sec. 7. Report.** The Department of Environmental Protection
14 shall prepare a report on funding for cleanup of sites
15 contaminated by hazardous waste, biomedical waste and waste oil.
16 The report must include an assessment of the adequacy of the
17 Maine Hazardous Waste Fund and must be submitted to the joint
18 standing committee of the Legislature having jurisdiction over
19 natural resources matters no later than February 1, 2007. The
20 committee may report out legislation dealing with the fees for
21 the transport and disposal of hazardous waste to the First
22 Regular Session of the 123rd Legislature.
23
24

25 SUMMARY

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27 **28** This bill increases revenue in the Maine Hazardous Waste
29 Fund by adjusting the fees for the transport and disposal of
30 hazardous waste. The bill eliminates the disparity between the
31 fee charged for transport of waste within Maine and the fee
32 assessed for waste transported into Maine from another
33 jurisdiction. The bill authorizes the Board of Environmental
34 Protection to assess a fee for registration of biomedical waste
35 generators. The bill requires the Department of Environmental
36 Protection to prepare a report on the adequacy of the Maine
37 Hazardous Waste Fund and on funding for cleanup of sites
38 contaminated by hazardous waste, biomedical waste and waste oil.