

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 506

S.P. 201

In Senate, February 12, 2009

**An Act To Protect Public Safety and Provide for the Prudent Use of
Landfill Capacity**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SCHNEIDER of Penobscot.

Cosponsored by Senator: SIMPSON of Androscoggin, Representative: CAIN of Orono.

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

2 Sec. 1. 38 MRSA §1306, sub-§7 is enacted to read:

3 7. Weight of trucks. A person may not deliver waste of any kind in a vehicle with a
4 gross vehicle weight, as defined in Title 29-A, section 101, subsection 26-A, of more than
5 80,000 pounds to a solid waste disposal facility, solid waste facility, solid waste landfill
6 or waste facility if that facility or landfill is owned by the State and has been expanded on
7 or after October 1, 2009. The operator of a solid waste disposal facility, solid waste
8 facility, solid waste landfill or waste facility that has been expanded on or after October
9 1, 2009 and is owned by the State may not accept for delivery at that facility or landfill
10 waste of any kind that has been hauled in a vehicle with a gross vehicle weight of more
11 than 80,000 pounds.

12 Sec. 2. **Determination of solid waste disposal capacity needs.** The Executive
13 Department, State Planning Office and the Department of Environmental Protection shall
14 determine the solid waste disposal capacity needs of the State as of January 1, 2009 for 3,
15 5 and 10 years and report their findings to the Joint Standing Committee on Natural
16 Resources no later than November 5, 2009. Based on the capacity needs as of January 1,
17 2009, the State Planning Office and the Department of Environmental Protection shall
18 determine the capacity of state-owned landfills. The State Planning Office and the
19 Department of Environmental Protection shall determine their ability to control the
20 different and various waste streams flowing into state-owned landfills, broken down by
21 waste stream and by the sources of these waste streams, whether in-state or out-of-state.
22 The Department of Environmental Protection shall determine how best to control the flow
23 of waste coming into the State in order to ensure the longevity of state-owned landfills
24 and save taxpayers money. The Department of Environmental Protection shall adopt
25 major substantive rules, as defined in the Maine Revised Statutes, Title 5, chapter 375,
26 subchapter 2-A, to extend the life of state-owned landfills.

27 **SUMMARY**

28 This bill provides that a person may not deliver waste of any kind in a vehicle with a
29 gross vehicle weight of more than 80,000 pounds to a solid waste disposal facility, solid
30 waste facility, solid waste landfill or waste facility if that facility or landfill is owned by
31 the State and has been expanded on or after October 1, 2009. It also provides that the
32 operator of a solid waste disposal facility, solid waste facility, solid waste landfill or
33 waste facility that has been expanded on or after the effective date of this Act and is
34 owned by the State may not accept for delivery at that facility or landfill waste of any
35 kind that has been hauled in a vehicle with a gross vehicle weight of more than 80,000
36 pounds. The bill requires the Executive Department, State Planning Office and the
37 Department of Environmental Protection to determine the solid waste disposal capacity
38 needs of the State as of January 1, 2009 for 3, 5 and 10 years and report their findings to
39 the Joint Standing Committee on Natural Resources no later than November 5, 2009.
40 Based on the capacity needs as of January 1, 2009, the State Planning Office and the
41 Department of Environmental Protection shall determine the capacity of state-owned
42 landfills. The State Planning Office and the Department of Environmental Protection

1 shall determine their ability to control the different and various waste streams flowing
2 into state-owned landfills, broken down by waste stream and by the sources of these
3 waste streams, whether in-state or out-of-state. The Department of Environmental
4 Protection shall determine how best to control the flow of waste coming into the State in
5 order to ensure the longevity of state-owned landfills and save taxpayers money. The
6 Department of Environmental Protection shall adopt major substantive rules to extend the
7 life of state-owned landfills.