

# MAINE STATE LEGISLATURE

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DMG  
R.O.F.S

# Majority

L.D. 1483

Date: 2/11/14

(Filing No. S- 386)

## ENVIRONMENT AND NATURAL RESOURCES

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### STATE OF MAINE

### SENATE

### 126TH LEGISLATURE

### SECOND REGULAR SESSION

COMMITTEE AMENDMENT 'A' to S.P. 545, L.D. 1483, Bill, "An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste"

Amend the bill by striking out the title and substituting the following:

**'An Act To Implement the Solid Waste Management Hierarchy'**

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

**'Sec. 1. 38 MRSA §1310-N, sub-§1,** as amended by PL 2013, c. 243, §1, is further amended to read:

**1. Licenses.** The department shall issue a license for a waste facility whenever it finds that:

A. The facility will not pollute any water of the State, contaminate the ambient air, constitute a hazard to health or welfare or create a nuisance;

B. In the case of a disposal facility, the facility provides a substantial public benefit, determined in accordance with subsection 3-A; ~~and~~

C. In the case of a disposal facility or a solid waste processing facility that generates residue requiring disposal, the volume of the waste and the risks related to its handling and disposal have been reduced to the maximum practical extent by recycling and source reduction prior to disposal. This paragraph does not apply to the expansion of a commercial solid waste disposal facility that accepts only special waste for landfilling or to any other facility exempt from the requirements of subsection 5-A. The department shall find that the provisions of this paragraph are satisfied when the applicant demonstrates that the applicable requirements of subsection 5-A have been satisfied; and

D. The practices of the facility are consistent with the State's solid waste management hierarchy set forth in section 2101. The department shall adopt rules incorporating the State's solid waste management hierarchy as a review criterion for

# COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to S.P. 545, L.D. 1483

1        licensing approval under this subsection. Rules adopted pursuant to this paragraph  
2        are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3        **Sec. 2. Appropriations and allocations.** The following appropriations and  
4        allocations are made.

5        **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

6        **Remediation and Waste Management 0247**

7        Initiative: Provides one-time funding for rulemaking in fiscal year 2014-15.

8	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
9	All Other	\$0	\$4,000
10		<hr/>	<hr/>
11	<b>GENERAL FUND TOTAL</b>	\$0	\$4,000
12			

13        **SUMMARY**

14        This amendment, which is the majority report of the Joint Standing Committee on  
15        Environment and Natural Resources, replaces the bill and requires that the practices of an  
16        applicant for a waste facility license be consistent with the State's solid waste  
17        management hierarchy. This amendment also directs the Department of Environmental  
18        Protection to adopt rules incorporating the State's solid waste hierarchy as a review  
19        criterion for waste facility licensing approval. The amendment also adds an  
20        appropriations and allocations section.

21        **FISCAL NOTE REQUIRED**

22        (See attached)



# 126th MAINE LEGISLATURE

LD 1483

LR 1172(02)

## An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste

Fiscal Note for Bill as Amended by Committee Amendment 'A' (S-386)

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$4,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$4,000	\$0	\$0

#### Fiscal Detail and Notes

The bill includes a one-time General Fund appropriation of \$4,000 in FY 15 to the Department of Environmental Protection for rulemaking.