

MAINE STATE LEGISLATURE

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SMK
R. & S.

L.D. 576

Date: 4/26/2017

(Filing No. S- 47)

Majority

ENVIRONMENT AND NATURAL RESOURCES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 191, L.D. 576, Bill, "An Act To Amend the Laws Governing Funding for Landfill Closure Costs"

Amend the bill in section 1 in paragraph E by striking out all of subparagraph (1) (page 1, lines 7 to 11 in L.D.) and inserting the following:

'(1) The commissioner originally issued a license on or before September 1, 1989 or accepted a license application for processing on or before September 1, 1989 that was approved by the commissioner within one year of acceptance for processing for operation of the landfill and found that the landfill met the design requirements and environmental protection standards at the time of licensing; and'

SUMMARY

This amendment, which is the majority report of the committee, amends the bill by clarifying that the eligibility of a landfill for reimbursement of certain closure and remediation costs under the Maine Revised Statutes, Title 38, section 1310-F is dependent on whether the landfill was issued a license on or before September 1, 1989 or whether the landfill's license application was accepted for processing by the Department of Environmental Protection on or before September 1, 1989 and such license was approved within one year of the date the license application was accepted for processing.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 576

LR 1516(02)

An Act To Amend the Laws Governing Funding for Landfill Closure Costs

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

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

(S-47)

Fiscal Note

Future biennium cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Current law requires the Department of Environmental Protection (DEP) to pay 75% of the costs incurred before December 31, 2025 of closing municipal landfills that meet certain criteria. This bill extends eligibility to municipal landfills with applications to the DEP that were accepted for processing on or before September 1, 1989 and that were approved within one year of the acceptance date. The DEP has indicated that there is one active landfill in Old Town that meets the new eligibility criteria and that it would cost \$350,000 to reimburse Old Town 75% of closure costs. The DEP share will be paid from the Maine Solid Waste Management Fund (MSWMF) within the DEP, which derives its revenue from fees on the disposal of construction and demolition debris. Under existing statute, the fee will continue to be collected until all existing landfill closure costs subject to DEP reimbursement are paid. The addition of another landfill to reimburse will lower annual payments to reimburse other municipalities for landfill closure costs and extend the period of time they will be reimbursed to keep the annual aggregate distribution from the MSWMF unchanged. Therefore, the additional \$350,000 will be paid in a future period when the existing payments would have ceased but will now continue. The DEP has expressed concern that municipalities may be affected by having their payments lowered.