

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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for an air emission license after January 6, 1975, shall not be eligible for a variance from ambient air quality standards, including applicable ambient air increments, except that the source may apply for a variance to increments applicable to mandatory federal Class I areas under the terms and conditions set forth in section 165(d) of the Federal Clean Air Act, 42 United States Code Annotated, section 7475(d).

Sec. 12. 38 MRSA § 590, 2nd ¶, 2nd and 3rd sentences, as amended by PL 1971, c. 618, § 12, are repealed as follows:

~~Within 30 days of receipt of a properly completed application, the board shall either grant the license, deny the license or order a hearing thereon. Within 10 days after notice of the grant or denial of any application under this section, the applicant may request a hearing thereon~~

Sec. 13. 38 MRSA § 590, 2nd ¶, 4th sentence, as amended by PL 1971, c. 681, § 12, is further amended to read:

All hearings under this section shall be held in some municipality within the region where the proposed emission is to be located ~~within 30 days of receipt of an application where the board orders a hearing thereon, or within 30 days of receipt by the board of a request by the applicant for a hearing.~~

Sec. 14. 38 MRSA § 590, as last amended by PL 1975, c. 282, § 4, is further amended by adding at the end the following new paragraph:

The board shall have the power to deny an air emission license for a new or modified major emitting source if it determines that emissions from the source will cause an adverse impact on air quality-related value, including visibility for federally mandated Class I areas notwithstanding the fact that the source will not cause or contribute to air pollution concentrations which exceed the ambient increments for a Class I area.

Sec. 15. 38 MRSA § 608, as enacted by PL 1975, c. 669, § 5, is repealed.

Effective September 14, 1979

CHAPTER 382

H. P. 1356 — L. D. 1592

AN ACT Relating to State Participation in General Assistance Programs.

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

Sec. 1. 22 MRSA § 4499, first sentence, as amended by PL 1977, c. 717, § 1, is further amended to read:

When a municipality incurs net general assistance costs in any fiscal year in excess of .0003 of that municipality's state valuation as determined by the State Tax Assessor in the statement filed by him as provided in Title 36, section 381, the Department of Human Services shall reimburse the municipality for 90% of the amount in excess of such expenditures ~~which when the department considers to be reasonable and appropriate finds that the municipality has been in compliance with all requirements of this chapter.~~

Sec. 2. 22 MRSA § 4504, sub-§ 6 is enacted to read:

6. **Department assistance.** The department shall offer assistance to municipalities in complying with this chapter. The department may review the administration of the general assistance program of any municipality whether or not reimbursement is given. This review shall include a discussion with and, if necessary, recommendations to the administrator of the general assistance program as to the requirements of this chapter.

Effective September 14, 1979

CHAPTER 383

H. P. 1139 — L. D. 1518

AN ACT to Merge the Septage and Hazardous Waste Law into the Solid Waste Law and to Conform them with the Requirements of the Federal Resource Recovery and Conservation Act.

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

Sec. 1. 38 MRSA §§ 1301 and 1302, as enacted by PL 1973, c. 387, are amended to read:

§ 1301. **Short title**

This chapter shall be known and may be cited as the “Maine **Hazardous Waste, Septage and Solid Waste Management Act.**”

§ 1302. **Declaration of policy**

The Legislature declares it to be the policy of the State of Maine consistent with its responsibility to protect the health, safety and welfare of its citizens, enhance and maintain the quality of the environment, conserve natural resources and prevent water ~~and~~, air ~~and~~ land pollution, that it shall encourage **hazardous waste, septage and solid waste** programs, public or private, which will reduce the volume of **hazardous waste, septage and solid waste** production, improve efforts to reuse and recover valuable resources currently being wasted and which will not