

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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- (2) Has permission from his parent or legal guardian;
- (3) Has permission from the local school committee or board of directors, or its designee; and
- (4) Has made an agreement, in writing, with his parents or legal guardian and the designee of the local school committee or board of directors to meet at least once annually until he reaches the age of 17 for the purpose of reviewing the possibility of the student's return to day school or attendance in evening school.

2. Appeal. If a child has fulfilled the requirements under subsection 1, paragraph A, subparagraphs (1) and (2) and has been denied permission to leave school by the local school committee or board of directors, the child may file an appeal with the commissioner.

Sec. 2. 20 MRSA § 2384, sub-§ 1, 2nd sentence, as enacted by PL 1977, c. 625, § 4, is repealed and the following is enacted in its place:

The commissioner shall grant exceptions under this subsection in admitting students to adult education programs at the local level to any student who has left school under the provisions of section 911, subsection 1, paragraph A, subparagraphs (1) to (4), upon the recommendations of the local school committee or board of directors. Prior to requesting an exception, the school committee or board of directors shall seek and consider the recommendations of the positive action committee.

Effective September 14, 1979

CHAPTER 476

H. P. 921 — L. D. 1163

AN ACT to Encourage the Use of Solid Waste as a Fuel Source.

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

Sec. 1. 38 MRSA § 582, sub-§ 7-B, as enacted by PL 1973, c. 438, § 3, is amended by adding at the end the following new sentence:

“Fuel-burning equipment” as defined herein does not include solid waste fuel-burning equipment as defined in subsection 11-B.

Sec. 2. 38 MRSA § 582, sub-§§ 11-A and 11-B are enacted to read:

11-A. Solid waste fuel. “Solid waste fuel,” when burned as fuel in solid waste

fuel-burning equipment, means any material, other than primary fossil fuel, including, without limitation, garbage, refuse, sludge from a waste treatment plant or air pollution control facility, sawdust, shavings, chips, bark, slabs or inert fill material.

11-B. **Solid waste fuel-burning equipment.** "Solid waste fuel-burning equipment" means any furnace, boiler, apparatus, stack and all appurtenances thereto, capable of burning solid waste fuel for the primary purpose of producing thermal energy.

Sec. 3. 38 MRSA § 598, sub-§ 4 is enacted to read:

4. **Review.** The Board of Environmental Protection shall conduct a hearing as expeditiously as possible to review the visible emission standards of this section. This review shall include the adequacy of the present standards, the need to develop different standards for fuel-burning equipment, general processes, solid waste-burning equipment and multiple equipment discharging from a single stack, and the effect of malfunctions, startup and shutdown of equipment. In the event that the board determines that there is sufficient evidence to amend the visible emission standard it shall state the effective date on which the amended standards shall replace these standards and take immediate steps to revise the state's air quality implementation plan. Any public hearing conducted under this section may be held in a single air quality region or in Augusta at the board's discretion.

Sec. 4. 38 MRSA § 600, sub-§ 1, first ¶, as enacted by PL 1973, c. 438, § 8, is amended to read:

1. **Scope.** This section shall be applicable to all fuel-burning and solid waste fuel-burning equipment that is fired at a rate of 3 million B.T.U. per hour or greater, regardless of fuel type, and shall be effective in all ambient air quality control regions in the State of Maine, as follows:

Sec. 5. 38 MRSA § 600, sub-§ 2, as enacted by PL 1973, c. 438, § 8, is amended to read:

2. **Emission standard.** Any person operating fuel-burning or solid waste fuel-burning equipment within the scope of this section shall limit the particulate emissions from such fuel-burning equipment in accordance with Figure A during any continuous 2-hour period. If monitoring data or modeling information is available to demonstrate, on a case by case evaluation, that ambient air quality standards or applicable increments will not be violated by an emission rate from any solid waste fuel-burning equipment in excess of the rate set forth in Figure A, this higher emission rate shall apply to this equipment. For purposes of obtaining necessary state and federal approval of the higher emission limitation for solid waste fuel-burning equipment, it shall be the responsibility of the person operating the solid waste fuel-burning equipment to acquire and present appropriate monitoring data or modeling information to the department.