

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 545

H.P. 1721 - L.D. 1706

**AN ACT to Eliminate a Mandatory Public Hearing
for Permits to Locate Solid Waste Disposal Areas
Closer than 300 Feet to a Classified Body of
Surface Water.**

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

Sec. 1. 38 MRSA §421, 2nd ¶, as last amended by PL 1979, c.472, §15, is further amended to read:

If the board shall determine that soil conditions, groundwater conditions, topography or other conditions indicate that any boundary of any such area should be further than 300 feet from any classified body of surface water, it may, after notice to and a hearing with the affected party, order the relocation of such boundaries and the removal of any solid waste, previously deposited within the original boundaries, to the confines of the new boundaries.

Sec. 2. 38 MRSA §421, last ¶, first sentence, as last amended by PL 1979, c.472, §15, is further amended to read:

Notwithstanding this section, if the Board of Environmental Protection shall determine from an examination of soil conditions, groundwater characteristics, climatic conditions, topography, the nature and amount of the solid waste and other appropriate factors, that the deposit of solid waste within an area less than 300 feet from any classified body of surface water, will not result in an unlicensed direct or indirect discharge of pollutants to such body of surface water, it may, after notice and hearing, permit the deposit of solid waste within such area, upon such terms and conditions as it deems necessary.

Effective July 13, 1982.
