

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

shall give the employee notice of this right at the time the employer requests an examination.

See title page for effective date.

CHAPTER 366

S.P. 515 - L.D. 1516

An Act Concerning Disposal of Solid Waste from Decommissioning Activities

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, decommissioning waste is being generated without public knowledge about disposal plans; and

Whereas, municipalities do not know whether this waste is being disposed of within their boundaries; and

Whereas, the Advisory Commission on Radioactive Waste and Decommissioning is providing an important service to the State by providing opportunities for public input and advising the Governor, the Legislature and other state agencies on matters relating to radioactive waste management and decommissioning; and

Whereas, the Advisory Commission on Radioactive Waste and Decommissioning will be repealed on June 30, 1999; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSA §1305-B is enacted to read:

§1305-B. Municipal notice of decommissioning waste

1. Disposal; notice. A person may not dispose of decommissioning waste in this State without giving notice to the municipality in which the decommissioning waste is to be disposed of. Notice must be given at least 5 working days before the first scheduled disposal. The notice must include:

A. The type of decommissioning waste to be delivered to the landfill;

B. The anticipated amount of decommissioning waste to be delivered to the landfill;

C. The anticipated number of loads that will be delivered to the landfill; and

D. The estimated delivery schedule of the decommissioning waste, including dates for delivery.

2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Decommissioning waste" means any materials, whether solid or fluid, removed from a closed nuclear power plant, other than:

(1) Licensed discharges from the plant; and

(2) High-level radioactive waste and low-level radioactive waste regulated under chapter 14-A.

B. "Dispose of" means to deposit or attempt to deposit in the land or waters of this State.

Sec. 2. 38 MRSA §1453-A, sub-§7, as amended by PL 1995, c. 488, §5, is further amended to read:

7. Repeal. This commission is subject to review and terminates in accordance with Title 3, chapter 35, not including the grace period, no later than June 30, 1999, ~~unless continued or modified by law 2000.~~

Sec. 3. PL 1997, c. 686, §12 is amended to read:

Sec. 12. Reimbursement. Maine Yankee Atomic Power Company shall reimburse the Department of Environmental Protection for actual costs incurred in conducting activities related to decommissioning by the department's regular or project staff or by the department's contractors. Reimbursement charges may not exceed \$70,000 in fiscal year 1997-98 or \$100,000 in fiscal year 1998-99. Reimbursement charges may not exceed \$50,000 for each remaining year of decommissioning activity.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 1, 1999.
