

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

the Board's authority as they would have under the original bill. The Board is directed to consider any provisions of local ordinances when reviewing specific applications. Towns are explicitly authorized to adopt ordinances which are more strict than the state rules. The statutory guidance for the Board's noise rulemaking authority is much more general than that contained in the original bill. The Board is directed to adopt the new rules by December 31, 1987.

**LD 1862** AN ACT TO ENSURE SAFE MANAGEMENT, RECYCLING AND DISPOSAL OF SOLID WASTE AND TO REORGANIZE THE SOLID WASTE LAW.

PL 1987  
c. 517  
EMERGENCY

Sponsor: Pursuant to P&SL 1985, c. 137  
Committee Report: New Draft of LD 1499  
Amendments Adopted:  
S-235 USHER

SUMMARY: The original bill was the product of the committee's study of solid waste management policy in Maine pursuant to P&SL 1985, c. 137. The overall intent of the new draft is virtually identical to that of the original draft. The Joint Standing Committee on Energy and Natural Resources has issued a study report with its findings and recommendations. This report provides additional background material and description of the intent of the legislation. Committee files provide substantial documentation of the deliberations undertaken in the development of this legislation. The purpose of this new draft is primarily to correct a variety of drafting and typographical errors in the original bill.

The purpose of the legislation is to establish a comprehensive framework for the safe management and disposal of Maine's solid waste. The legislation addresses four specific areas:

1. Establishment of a state-funded, rapid clean-up and closure program for existing municipal and abandoned landfills, particularly those poorly-sited facilities which threaten public health and ground water quality;
2. Establishment of a lead role for the state in developing and supporting effective recycling and source reduction efforts throughout Maine;
3. Revision of the disposal facility siting process to link this process to recycling efforts and the state's disposal capacity needs and to obtain more effective public participation; and

4. Strengthening the Department of Environmental Protection's statutory authority to effectively regulate solid waste management and disposal.

This legislation is accompanied by two companion bills; LD 1191, An Act to Ensure Timely Adoption of Revised Solid Waste Rules (enacted as P&SL 1987, c.28) and LD 1356, An Act to Authorize a General Fund Bond Issue in the Amount of \$40,000,000 to Protect Ground Water Quality and Public Health Through Cleanup and Closure of Municipal and Abandoned Landfills.

The legislation also clarifies the structure of the solid and hazardous waste statutes.

This new draft requires legislative review of agency rule-making in certain key areas, most notably the establishment of waste transporter licenses and disposal fees (see Section 11).

The new draft provides requirements regarding new waste handling contracts in order to encourage municipal recycling and to remove impediments to recycling that are contained in existing contracts. (see Section 17).

The new draft provides definitions for certain terms which are central to the remediation and closure program proposed by this legislation (see section 25, §1310-C, sub§4).

The committee substantially revised the provisions regarding the remediation and closure of closed and abandoned landfills. The committee recognizes that, while the general approach to these sites should be consistent with that employed for open municipal landfills, some differences may arise which cannot be foreseen at this time. Thus, the new draft requires the department to develop an initial priority list of closed and abandoned sites that need attention and directs the department to report to the Legislature on necessary future steps (see section 25, §1310-E, sub§5).