An Act To Preserve State Landfill Capacity and Promote Recycling

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Presented by Representative TIPPING of Orono.
Cosponsored by Senator GRATWICK of Penobscot and
Senator: BELLOWS of Kennebec.
Be it enacted by the People of the State of Maine as follows:

CONCEPT DRAFT

SUMMARY

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures to ensure accurate tracking of the origin and type of waste materials disposed of in Maine, to discourage landfilling of recyclable materials, to preserve landfill capacity at state-owned facilities for Maine-generated materials, and to ensure the rights of host communities and abutters of waste disposal facilities. In order to achieve these goals, the bill proposes to:

1. Ensure there is accurate tracking and record keeping identifying the origin, amounts and types of materials disposed in waste facilities in the State;

2. Ensure waste is effectively tracked from generation point through processing to final disposal point, including the following types of facilities and disposal sites where tracking is required: landfills; landfill leachate discharge sites; incinerator ash and slag disposal sites; and biosolids disposal sites;

3. Ensure that waste materials imported from outside the State that are processed at facilities in the State are not classified as Maine-generated waste;

4. Ensure that waste materials that end up in a landfill, such as construction and demolition debris, which are used for daily cover in a landfill, are not counted toward the State's recycling goals;

5. Ensure adequate legal standing and strengthen protections for the health and well-being of people living in close proximity to waste disposal facilities;

6. Strengthen conflict-of-interest protections in awarding and management and oversight of state waste contracts to prevent price fixing and market manipulation; and

7. Direct the Department of Environmental Protection to amend rule Chapter 400, Maine Solid Waste Management Rules to:

   A. Amend the definition of "bypass" to limit the waste that is considered bypass to solid waste that cannot be disposed of, processed or beneficially used at that facility because of malfunction, insufficient capacity, downtime or inability of the facility to process or burn;

   B. Amend the definition of "recycle" and "recycling" to add a provision that any material left at a landfill is not considered recycled; and

   C. Define "Maine-generated waste" as solid waste that is discarded for the first time within the physical confines of the State.