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Date:

(Filing No. H- )

**ENVIRONMENT AND NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 197, L.D. 297, “An Act Regarding the Management of Oversized Bulky Waste from Wastewater Treatment Plants”

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding the Management of Wastewater Treatment Plant Sludge at the State-owned Landfill'**

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**'Sec. 1. 38 MRSA §1310-N, sub-§5-A, ¶B,** as amended by PL 2023, c. 517, §5, is further amended by amending subparagraph (2) to read:

(2) A solid waste processing facility that generates residue requiring disposal shall recycle or process into fuel for combustion through methods other than chemical plastic processing all waste accepted at the facility to the maximum extent practicable, but in no case at a rate less than 50%. For purposes of this subsection, "recycle" does not include chemical plastic processing and does include, but is not limited to, plastic-to-plastic recycling; the reuse of waste generated within the State as defined in section 1303-C, subsection 40-A, paragraph C; the recovery of metals from waste; the use of waste or waste-derived product as material substitutes in construction; and the use of waste as boiler fuel substitutes.

At least 50% of the waste that a solid waste processing facility characterizes as recycled under this subparagraph must have been reused or recycled by the facility through methods other than placement of the waste in a solid waste landfill, except that a solid waste processing facility that was in operation during calendar year 2018, that accepts exclusively construction and demolition debris and that accepted more than 200,000 tons of such debris in calendar year 2018 shall:

(a) Reuse or recycle at least 15% of such debris through methods other than placement in a solid waste landfill by July 1, ~~2024~~ 2026;

**COMMITTEE AMENDMENT**

1 (b) Reuse or recycle at least 20% of such debris through methods other than  
2 placement in a solid waste landfill by July 1, ~~2025~~ 2027;

3 (c) Reuse or recycle at least 30% of such debris through methods other than  
4 placement in a solid waste landfill by July 1, ~~2026~~ 2028;

5 (d) Reuse or recycle at least 40% of such debris through methods other than  
6 placement in a solid waste landfill by July 1, ~~2027~~ 2029; and

7 (e) Reuse or recycle at least 50% of such debris through methods other than  
8 placement in a solid waste landfill by July 1, ~~2028~~ 2030.

9 **Sec. 2. PL 2023, c. 283, §2** is amended to read:

10 **Sec. 2. Temporary allowance for disposal or placement of oversized bulky**  
11 **waste in landfill.** Notwithstanding any provision of the Maine Revised Statutes, Title  
12 38, section 1303-C, subsection 40-A to the contrary, for the period beginning ~~on the~~  
13 ~~effective date of this Act~~ June 23, 2023 and ending July 1, ~~2025~~ 2027:

14 1. If in any 12-month period the total weight of the residue generated by a solid waste  
15 processing facility and disposed of or otherwise placed in a solid waste landfill exceeds the  
16 total weight of the solid waste initially generated within the State that was processed by the  
17 facility in that 12-month period, such excess residue, not to exceed 25,000 tons in that 12-  
18 month period, is deemed to be waste generated within the State within the meaning of Title  
19 38, section 1303-C, subsection 40-A, as long as that excess residue is composed of  
20 oversized bulky waste and is disposed of or otherwise placed in a state-owned solid waste  
21 landfill; ~~and~~

22 1-A. Any additional excess residue associated with the processing of the oversized  
23 bulky waste amount identified in subsection 1 generated by the solid waste processing  
24 facility in that 12-month period and used at a solid waste landfill, not to exceed 75,000 tons  
25 in that 12-month period, is deemed to be waste generated within the State within the  
26 meaning of Title 38, section 1303-C, subsection 40-A, as long as that additional excess  
27 residue is not composed of oversized bulky waste and is used at a state-owned solid waste  
28 landfill as daily cover; and

29 2. Any excess residue, other than the excess residue identified in ~~subsection~~  
30 subsections 1 and 1-A, generated by the solid waste processing facility in that 12-month  
31 period is deemed not to be waste generated within the State within the meaning of Title 38,  
32 section 1303-C, subsection 40-A.

33 As used in this section, "oversized bulky waste" means large items of solid waste that  
34 are residue from processing construction and demolition debris, including, but not limited  
35 to, household appliances, furniture and mattresses.

36 **Sec. 3. Appropriations and allocations.** The following appropriations and  
37 allocations are made.

38 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**  
39 **Remediation and Waste Management 0247**

40 Initiative: Provides one-time allocations to authorize the expenditure of additional revenue  
41 from tipping fees.

42 **OTHER SPECIAL REVENUE FUNDS** **2025-26** **2026-27**

1	All Other	\$150,000	\$150,000
2			
3	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

4 **Sec. 4. Retroactivity.** This Act applies retroactively to June 23, 2023.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
6 number to read consecutively.

7 **SUMMARY**

8 This amendment, which is the majority report of the committee, replaces the bill,  
9 changes the title and adds an appropriations and allocations section and does the following.

10 1. It amends the law regarding the reuse or recycling of construction and demolition  
11 debris by certain solid waste processing facilities that were in operation during calendar  
12 year 2018 and that accept exclusively construction and demolition debris by extending the  
13 dates by which such facilities must reuse or recycle a certain percentage of such debris  
14 through methods other than placement in a solid waste landfill.

15 2. Public Law 2023, chapter 283, section 2, which took effect June 23, 2023, provides  
16 that for the period ending July 1, 2025, if in any 12-month period the total weight of the  
17 residue generated by a solid waste processing facility and disposed of or otherwise placed  
18 in a solid waste landfill exceeds the total weight of the solid waste initially generated within  
19 the State that was processed by the facility in that 12-month period, such excess residue,  
20 not to exceed 25,000 tons in that 12-month period, is deemed to be waste generated within  
21 the State, as long as that excess residue is composed of oversized bulky waste and is  
22 disposed of or otherwise placed in a state-owned solid waste landfill. Under that public  
23 law, any other excess residue generated by the facility in that 12-month period is deemed  
24 not to be waste generated within the State. The amendment amends that section of the  
25 public law to extend the end date of the period in which the law applies to July 1, 2027. It  
26 also provides that any additional excess residue associated with the processing of the  
27 25,000 tons of oversized bulky waste amount generated by the solid waste processing  
28 facility in that 12-month period and used at a solid waste landfill, not to exceed 75,000 tons  
29 in that 12-month period, is deemed to be waste generated within the State, as long as that  
30 additional excess residue is not composed of oversized bulky waste and is used at a state-  
31 owned solid waste landfill as daily cover.

32 The changes to these laws provided in the amendment are made retroactive to June 23,  
33 2023.

34 **FISCAL NOTE REQUIRED**  
35 **(See attached)**