

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Improve Safety in the Disposal of Expired Marine Flares**

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

**Sec. 1. 25 MRSA c. 318-A** is enacted to read:

### **CHAPTER 318-A**

### **EXPIRED MARINE FLARES**

#### **§ 2491. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Commissioner.** "Commissioner" means the Commissioner of Public Safety or the commissioner's designee.

**2. Expired.** "Expired" means, with regard to a marine flare, beyond the manufacturer-designated period of recommended use.

**3. Fire inspector.** "Fire inspector" means a person designated by the commissioner to collect expired marine flares.

**4. Marine flare.** "Marine flare" means a device designed to produce a bright flame for use as a signal or marker on the inland or coastal waters of the State or at sea.

#### **§ 2492. Collection program**

The commissioner shall establish a program for the convenient and safe collection of expired marine flares pursuant to this section.

**1. Fire departments.** In cooperation with municipal authorities, the commissioner shall designate fire department facilities throughout the State for the collection and safe retention of expired marine flares.

**2. Site collection.** The commissioner shall designate fire inspectors to collect expired marine flares from the facilities described under subsection 1. The fire inspectors shall collect the expired marine flares on a regular basis throughout the calendar year and deliver them for incineration pursuant to section 2493.

**3. Direct collection.** The commissioner shall establish a program of direct collection of expired marine flares by fire inspectors from persons who fish commercially and recreational boaters in the State, including through coordination with the sponsors of events at which persons who fish commercially and recreational boaters are invited to drop off their expired marine flares.

### **§ 2493. Disposal program**

The commissioner shall establish a program for the safe, nonpolluting disposal of all types of expired marine flares pursuant to this section.

**1. Collection and sorting.** Marine flares collected pursuant to section 2492 must be sorted by type for proper incineration.

**2. Incineration.** Expired marine flares sorted pursuant to subsection 1 must be incinerated at temperatures that are safe within Department of Environmental Protection standards for preventing air pollution.

**3. Recycling.** To the extent practicable, material from incinerated expired marine flares must be recycled.

### **§ 2494. Education program**

The commissioner shall establish a program of public education regarding expired marine flares pursuant to this section.

**1. Education campaign.** The Department of Public Safety shall engage in an education campaign to inform the public about the programs of collection and disposal of expired marine flares under this chapter, the dangers that expired marine flares pose to the public health and welfare and the dangers those marine flares that are improperly disposed of pose to the environment.

**2. Department websites.** The department shall maintain a public website supporting the education campaign under subsection 1 and serving as an information resource regarding expired marine flares and their proper disposal pursuant to this chapter. The department, the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Department of Marine Resources shall coordinate to update their publications and websites that are suited for the purpose with information regarding the collection and disposal of expired marine flares pursuant to this chapter.

## **SUMMARY**

This bill establishes within the Department of Public Safety programs for the collection and disposal of expired marine flares and for public education regarding expired marine flares.