

§2154. Site selection

1. Initial site screening. The bureau shall conduct a site screening and selection process to identify solid waste disposal capacity sufficient to meet the projected needs identified in the state planning process under section 2123-A, subsection 4. The bureau shall consider the need for geographic distribution of facilities to adequately serve all regions of the State. The bureau also shall consider in its site selection process the need for landfill capacity to dispose of incinerator ash resulting from the combustion of domestic and commercial solid waste generated within its jurisdiction. Prior to recommending a site, the bureau shall hold a public hearing in every municipality or plantation identified in the screening process as a potential site. For potential sites within an unincorporated township, the bureau shall hold a public hearing within the vicinity of the proposed site. Prior to submitting a recommended site to the department for review, the bureau must find that the recommended site meets the standards adopted under section 2153.

[PL 2011, c. 655, Pt. GG, §41 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

2. Siting; general. Subsequent to the siting process under subsection 1, the bureau shall identify additional sites as requested by the department and as capacity needs are identified in the state plan. The bureau shall employ the same criteria and considerations employed under subsection 1. The bureau shall hold a public hearing in each municipality within which the bureau may recommend the location of any solid waste disposal or refuse-derived fuel processing facility.

[PL 2011, c. 655, Pt. GG, §41 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

3. Municipal reimbursement. At the conclusion of proceedings before the bureau conducted pursuant to subsection 1, the bureau shall reimburse a municipality for eligible expenses incurred as a result of that municipality's direct, substantive participation in proceedings before the bureau. The amount reimbursed under this subsection may not exceed \$50,000 for any municipality. For the purposes of this subsection, "eligible expenses" has the same meaning as "expenses eligible for reimbursement" under section 1310-S, subsection 4 and any rules adopted by the Board of Environmental Protection pursuant to that section.

[PL 2011, c. 655, Pt. GG, §41 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

SECTION HISTORY

PL 1989, c. 585, §A7 (NEW). PL 1991, c. 243, §1 (AMD). PL 1991, c. 794, §§3,4 (AMD). PL 1991, c. 794, §9 (AFF). PL 1995, c. 465, §A63 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 656, §§A44,45 (AMD). PL 2011, c. 655, Pt. GG, §41 (AMD). PL 2011, c. 655, Pt. GG, §70 (AFF).

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