

HAZARDOUS WASTE AND RADIOACTIVE MATERIALS  
CONTROL ORDINANCE – Town of Industry, Maine

PURPOSE. The regulations set forth in the Ordinance are adopted to:

- A. Provide for the protection of ground water and surface water quality through the control of hazardous materials handling, storage, or disposal; and
- B. Protect the health, safety, and welfare of the citizens of Industry>

LEGISLATIVE AUTHORITY. This Ordinance is enacted pursuant to authority granted in 30MRSA, Section 1917; 38 MRSA, Section 1301, et seq.

PROHIBITION OF RADIOACTIVE MATERIALS WASTES. The disposal of hazardous waste at locations within the Town of Industry is prohibited unless application is made to, and approval received from the Board of Environmental Protection, State of Maine. A copy of the State application shall be filed with the Industry Board of Selectmen at the time it is made to the State. The Board of Selectmen are hereby authorized and shall, in accordance with Title 38 MRSA, Section 1305-A, Subsection 2, fifth paragraph, appoint four (4) non-voting representatives to serve on the Board of Environmental Protection, if and when the Board Of Environmental Protection sits in review of a site for a commercial hazardous waste facility in the town of Industry. Appointments shall be made upon enactment of this Ordinance, after advertising for citizens interested in serving. The four will serve with the Board of Environmental Protection only of an Industry site is submitted to the State for a license to be commercial hazardous waste facility.

ON-SITE HANDLING OF WASTES GENERATED. If any Industry manufacturer, industry, or other firm wishes to have a hazardous waste facility on-site for wastes generated by their processes, on that same site, they shall apply to the Town for an On-Site License. Review will be by the Board of Selectmen, using State standards as contained in Title 38 MRSA 1301 et seq., and Department for Environmental Protection rules and regulations adopted thereunder. At least on public hearing will be held.

The four Town representatives appointed in the above section shall sit with the Board of Selectmen in reviewing any application from an on-site generator. They shall be a non-voting capacity.

HAZARDOUS MATERIALS WASTE TRANSFER & STORAGE. The transfer and/or storage of hazardous materials waste within the Town of Industry boundaries is subject to the control of Public Law 94-580 and Title 38 Maine Revised Statutes Annotated, Section 1301 et seq., and rules 850-855 of the Department of Environmental Protection.

SEVERABILITY. If any part or parts, section or subsection, sentence, clause, or phrase of this Ordinance or the rules and regulations promulgated thereunder is for any reason declared to be unconstitutional or invalid, such shall not affect the validity or constitutionality of the remaining portions of this Ordinance or the rules and regulations promulgated thereunder.

Adopted: April 3, 1991