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Department of Environmental Protection

Maine Solid Waste Management Rules

CHAPTER 400

GENERAL PROVISIONS

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Chapter 400: GENERAL PROVISIONS

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- PP. Dewatered septage.** "Dewatered septage" means the solid fraction removed from septage, by mechanical means such as a sand filter, clarifier or belt filter press.
- QQ. Disposal.** "Disposal", means the discharge, deposit, dumping, spilling, leaking, placing or incineration of any solid waste into or on any land, air or water so that the solid waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including ground waters. This term does not include beneficial use activities approved or exempted under these rules.
- RR. Dredge materials.** "Dredge materials" means sand, silt, mud, gravel, rock or other sediment or material removed from beneath any surface water.
- SS. E.P.A.** "E.P.A." means the United States Environmental Protection Agency.
- TT. Equipment.** "Equipment" means any item of machinery or implement used in the operation of a solid waste facility to perform site preparation, earth-moving and trucking, hauling, transporting, spreading, compacting or covering of waste.
- UU. Environmental Monitoring.** "Environmental monitoring" means collecting and analyzing ground and surface water samples, leachate, leak detection and leachate treatment residue samples, air samples, landfill gas samples and/or measurements, waste characterization, and monitoring of solid waste settlement and landfill and/or site stability.
- VV. Existing hourly sound level.** "Existing hourly sound level" means the hourly sound level at a solid waste facility or at protected locations prior to the first expansion of that solid waste facility.
- WW. Expand.** "Expand", as it applies to solid waste landfills, means to dispose of solid waste beyond the horizontal boundaries previously licensed by the Department for solid waste disposal, except when allowed as part of a Department approved closure activity. "Expand", as it applies to solid waste incineration facilities, means to significantly increase the licensed disposal capacity of the facility. *"Expand", as it applies to solid waste processing facilities, means to increase the waste handling area beyond the horizontal boundaries previously licensed by the Department or to significantly increase the previously licensed volume of waste accepted.*
- XX. Facility site.** "Facility site" means any developed land area of a solid waste facility, including internal access roads controlled by the facility site owner or operators, structures (including those for erosion and sedimentation control), parking lots, and waste handling areas, or any areas thereof approved by the Department for that development, but excluding monitoring wells.
- XX-1. Farm.** "Farm" means the same as defined in 7 M.R.S.A. § 152 which states that farm means the land, plants, animals, buildings, structures, ponds and machinery used in the commercial production of agricultural products.
- YY. Fault.** "Fault" means a geologic fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to that on the other side.

ponds or rivers, streams or brooks, as these terms are defined in 38 MRSA section 480-B of the Natural Resources Protection Act.

Kk. Public entity. "Public entity" means a municipality or group of municipalities, a public waste disposal corporation under 38 MRSA section 1304-B, a refuse disposal district under 38 MRSA section 1702, *et seq.*, a county, State or Federal agency.

Ll. Public viewing area. "Public viewing area" means an area designated for the public to view scenic areas, historical sites, unusual natural features or public monuments. These areas include but are not limited to scenic highways; public easements; scenic turnouts; public monuments; and national, state or municipal parks.

Mm. Pug mill. "Pug mill" means any lined mixing chamber that uses an emulsified or cut-back asphalt binding agent to produce a bituminous product from an aggregate.

Nn. Putrescible Waste. "Putrescible waste" means solid waste that contains organic matter that can be rapidly decomposed by microorganisms, which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease carrying organisms such as rodents and flies.

Oo. Quantifiable noise standard. "Quantifiable noise standard" means a numerical limit governing noise that has been duly enacted by ordinance by the municipality.

Pp. R.C.R.A. "R.C.R.A." means the Resource Conservation and Recovery Act, 42 U.S.C.A. section 6901 *et seq.*

Qq. Recycle/Recycling. "Recycle" and "Recycling" means the collection, separation, recovery and sale or reuse of materials that would otherwise be disposed of or processed as waste or the mechanized separation of waste, other than through combustion, and the creation and recovery of reusable materials other than as a fuel for the generation of electricity.

Rr. Refuse-derived fuel. "Refuse-derived fuel" means municipal solid waste which has been processed prior to combustion to increase the heat input value of the waste.

Ss. Residual. "Residual" means solid wastes generated from municipal, commercial or industrial facilities that may be suitable for agronomic utilization. These materials may include: food, fiber, vegetable and fish processing wastes; dredge materials; sludges; dewatered septage; and ash from wood or sludge fired boilers.

Tt. Residue. "Residue" means waste ~~remaining after~~ generated as a result of the handling, processing, composting, incineration, or recycling of solid waste including, without limitation, front end process residue, finer and other residues from construction demolition debris processing facilities, and ash from incineration facilities and non-compostable compost screenings.

Uu. Routine operation. "Routine operation" means, for the purpose of regulating noise, the regular and recurrent operation of a solid waste facility and the sound sources associated with that operation.