

**§1319-X. Criteria for development of waste oil facilities and biomedical waste facilities**

The following criteria for facility development apply to an application for a waste oil facility or a new or substantially modified biomedical waste treatment or disposal facility in addition to other criteria established by law or rule for those facilities. [PL 2021, c. 186, §16 (AMD).]

**1. Financial capacity.** The applicant has the financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.  
[PL 1993, c. 383, §38 (NEW).]

**2. No adverse effect on the natural environment.** The applicant has provided adequately for fitting the project harmoniously into the existing natural environment and the project will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.  
[PL 1993, c. 383, §38 (NEW).]

**3. Ground water.** The proposed project does not pose an unreasonable risk that a discharge to a significant ground water aquifer will occur.  
[PL 1993, c. 383, §38 (NEW).]

**4. Soil types and erosion.** The project will be built on soil types suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment.  
[PL 1993, c. 383, §38 (NEW).]

**5. Traffic movement.** The applicant has provided adequately for traffic movement of all types into, out of or within the project area. The department shall consider traffic movement both on site and off site, including safety and congestion along waste conveyance transportation routes. The Department of Transportation shall provide the department with an analysis of traffic movement of all types into, out of or within the project area.  
[PL 1993, c. 383, §38 (NEW).]

**6. Infrastructure.** The applicant has provided adequately for utilities including water supplies, sewerage facilities, solid waste disposal and roadways required for the project and the project will not have an unreasonable adverse effect on the existing or proposed utilities and roadways in the municipality or area served by those services.  
[PL 1993, c. 383, §38 (NEW).]

**7. Flooding.** The project will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to a structure.  
[PL 1993, c. 383, §38 (NEW).]

The department may not issue a license for a waste oil facility if the proposed facility overlies a significant ground water aquifer or a primary sand and gravel recharge area. [PL 2021, c. 186, §17 (AMD).]

**SECTION HISTORY**

PL 1993, c. 383, §38 (NEW). PL 2021, c. 186, §§15-17 (AMD).

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