

TOWN OF NEW GLOUCESTER
RADIOACTIVE WASTE ORDINANCE

SECTION I. PURPOSE

The regulation set forth in this ordinance are adopted to:

- A. Provide for the protection of ground water and surface water quality through the control of radioactive waste handling, storage or disposal.
- B. Protect the health, safety and welfare of the citizens of New Gloucester.

SECTION 2. LEGISLATIVE AUTHORITY

A. AUTHORITY

1. This ordinance is adopted pursuant to Home Rule Powers as provided for in Article VII-A of the Maine Constitution and Title 30, M.R.S.A., Section 1917; 38 M.R.S.A. 1310-A.

B. ADMINISTRATION

1. The Selectmen and the Town Manager of the Town of New Gloucester shall administer this Ordinance.

SECTION 3. REQUIREMENTS

A. Waste defined as radioactive waste materials by 38 M.R.S.A. Section 1451 subsection # 6 & 11, within the boundaries of the Town limits are prohibited.

B. Any request for an exception to the prohibition shall be submitted in writing to the Selectmen and brought to the whole Town of New Gloucester, acting as a body politic, to be voted on by all registered voters. Any person intending to construct or operate any temporary or permanent radioactive waste repository shall at least one year prior to commencing any construction or operation notify the town officials in writing of his/her intent and of the nature and location of the facility, together with any other information the Selectmen and Town Manager may require.

SECTION 4. APPEALS

A. An aggrieved party or landowner may appeal a decision to Superior Court within thirty (30) days from the final decision in accordance with Rule 80B of the Maine Rules of Civil Procedure.

SECTION 5. AMENDMENTS

A. This Ordinance may be amended by a majority vote of the voters of the Town. Amendments may be initiated by a majority vote of Town voters or on petition of 10% (percent) of the votes cast in the last gubernatorial election in the Town. The Selectmen shall conduct a Public Hearing on any proposed amendment.

SECTION 6. SITE CHARACTERIZATION

Any testing or drilling pertaining to the siting of a high/low level nuclear waste repository within the town limits of New Gloucester will be prohibited. Any request for exception to this section shall be handled under Section 3 of the Radioactive Waste Ordinance subsection B.

SECTION 7. EFFECTIVE DATE

This ordinance shall become effective when adopted by a majority of the voters at any regular or special Town meeting.