

TITLE 2: NATURAL RESOURCES
DIVISION 3: THE ENVIRONMENT

§ 3518. Prohibited Activities.

It is unlawful for any person to:

- (a) Violate any provision of this chapter or any rule or regulation established by authority of this chapter;
- (b) Own, operate, or use debris staging areas for disposal of solid waste without an emergency permit issued pursuant to this chapter. The use of open dumps for disposal of solid waste is strictly prohibited;
- (c) Place, or allow to be placed, any solid waste on the roads or on any public or private property contrary to the provisions of law;
- (d) Own or manage a solid waste management facility without a disposal permit issued pursuant to this chapter;
- (e) Operate a business the purpose of which is to collect or transport solid waste without a collection permit issued pursuant to this chapter;
- (f) Collect, transport, process, or dispose of solid waste or hazardous waste in such a manner as to degrade the environment, create a public nuisance, create a health or safety hazard, or in a manner otherwise contrary to this chapter;
- (g) Transport solid waste on any road unless adequate precautions are taken to contain and prevent the solid waste from falling off the vehicle;
- (h) Destroy, or attempt to destroy, by burning, except in an incinerator approved by the chief, any solid waste that will give off offensive odors or that is within one mile of any village or other residential or urban area. Burning of trees, bush, grass, or other organic detritus of land clearing or landscaping is permissible as permitted by law; or
- (i) Dispose of any hazardous waste without a hazardous waste management permit issued pursuant to 2 CMC § 3122(c)(2).

Source: PL 6-30, § 8; subsection (b) amended by PL 11-103, § 8.

Commission Comment: PL 11-103 took effect on September 29, 1999. PL 11-103 contained short title, findings, severability, and savings clause provisions as follows:

Section 1. Short Title. This act may be cited as the “Commonwealth Environmental Amendments Act of 1999”.

Section 2. Findings. The Legislature finds and declares that as a policy, the Commonwealth should update its environmental laws to be consistent and compatible with applicable federal EPA requirements. Towards that end, the amendments made in this Act will make our present environmental laws consistent with applicable federal laws and regulations.

. . .

Section 10. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 11. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.