

MAINE STATE LEGISLATURE

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 275, L.D. 882, Bill, "An Act To Create a 5-year Statute of Limitations for Environmental Violations"

Amend the bill by striking out the title and substituting the following:

'An Act To Create a 10-year Statute of Limitations for Certain Environmental Violations'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 38 MRSA §347-A, sub-§8 is enacted to read:

8. Limitations on air and wastewater discharge enforcement actions. The following limitations apply to air and wastewater discharge enforcement actions.

A. If a licensee has reported to the department a violation of chapter 4 or of rules adopted under chapter 4, an enforcement action for civil or administrative penalties brought by the department or the Attorney General for that violation must be initiated within 10 years of the date the licensee reported the violation to the department.

B. If a licensee has reported to the department a violation of chapter 3, subchapter 1, article 2 or of rules adopted under chapter 3, subchapter 1, article 2, an enforcement action for civil or administrative penalties brought by the department or the Attorney General for that violation must be initiated within 10 years of the date the licensee reported the violation to the department.'

SUMMARY

This amendment replaces the bill. It requires certain enforcement actions related to air emissions and wastewater discharges to be initiated by the Department of Environmental Protection or the Attorney General's Office within 10 years of the date that the license reported the violation to the department.

COMMITTEE AMENDMENT