

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 167

S.P. 81

In Senate, February 3, 1987

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator USHER of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Expedite the Processing of
Environmental Permits.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §344, sub-§2, ¶E, as amended by PL 1985, c. 746, §9, is further amended to read:

E. Applications under section 483 for site location development permits for subdivisions and structures at an existing industrial or commercial facility which do not increase the total ground area square footage of the existing facility by more than 50%;

Sec. 2. 38 MRSA §344, sub-§2, ¶H, as enacted by PL 1983, c. 453, §1, is amended to read:

1 H. Applications under section 590 pertaining to
2 air emissions licenses for all petroleum storage
3 facilities, for incinerators or boilers with ca-
4 pacities of less than ~~150,000,000~~ 250,000,000
5 British Thermal Units per hour, or which do not
6 result in a net increase in emissions at any in-
7 dustrial or commercial facility, and for all gen-
8 eral process sources;

9 Sec. 3. 38 MRSA §344, sub-§2, ¶¶J and K, as en-
10 acted by PL 1983, c. 453, §1, are amended to read:

11 J. All applications under section 1304, subsec-
12 tion 8, paragraph A, pertaining to solid waste,
13 sludge or septage waste facility permits; and

14 K. Applications for permit or license renewals
15 where the permittee or licensee has operated in
16 substantial compliance with the most recent per-
17 mit or license and where the proposed pollution
18 control equipment is substantially unchanged from
19 that previously permitted or licensed and where
20 applicable laws or rules on which the permit or
21 license would be considered have not changed
22 since the last permit or license was issued; and

23 Sec. 4. 38 MRSA §344, sub-§2, ¶L is enacted to
24 read:

25 L. All applications under section 408 for inland
26 wetlands permits.

27 Sec. 5. 38 MRSA §344, sub-§8 is enacted to read:

28 8. Exercise of authority. All of the authority
29 delegated under this section shall be exercised by
30 the commissioner and the board may not assume for it-
31 self the authority to grant or deny any application
32 listed in subsection 2, paragraphs A to C, except in
33 connection with an appeal to the board.

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STATEMENT OF FACT

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This bill extends the authority of the commissioner to approve additional categories of permits. It is the intent of the Legislature that this delegation will expedite the licensing process by placing responsibility for issuing most permits in the hands of the commissioner, subject to an appeal to the board.

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