

MAINE STATE LEGISLATURE

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L.D. 1052

(Filing No. H-505)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 748, L.D. 1052, Bill, "An Act to Amend the Budget to Fund a Position in the Department of Environmental Protection to Review Hydropower Applications"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 38 MRSA §352, sub-§4, as repealed and replaced by PL 1987, c. 787, §9, is amended to read:

4. Accounting system. In order to determine the extent to which the functions set out in this section are necessary for the licensing process or are being performed in an efficient and expeditious manner, the commissioner shall require that all employees of the department involved in any aspect of these functions shall keep accurate and regular daily time records. These records shall describe the matters worked on, services performed and amount of time devoted to those matters and services, as well as amounts of money expended in performing these functions. Records shall be kept for a sufficient duration as determined by the commissioner to establish to his satisfaction that the fees are appropriate. The following table is repealed on May 1, 1991.

TABLE I

MAXIMUM FEES IN DOLLARS

TITLE 36 SECTION	PROCESSING FEE	CERTIFICATION FEE
656, sub-§1, ¶E, Pollution Control Facilities		
A. Water pollution control facilities	\$250	\$20

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1	with capacities at		
3	least 4,000 gallons		
	of waste per day and		
5	§1760, sub-§29, water		
	pollution control		
	facilities		
7	B. Air pollution	250	20
	control and §1760,		
9	sub-§30, air pollution		
	control facilities		
11			
13	TITLE 38	PROCESSING	LICENSE
	SECTION	FEE	FEE
15	362-A, Experiments	\$40	\$160
	393, Great Ponds	75	50
17	410-E, Freshwater wetlands	100	50
	413, Waste discharge license		
19	A. Residential	225	75
	B. Commercial		
21	1. Flow of less than		
	2,000 gallons per day	2,400	640
23	2. Flow of 2,000 to		
	20,000 gallons per		
25	day inclusive	2,400	2,000
	3. Flow of greater		
27	than 20,000 gallons		
	per day	2,400	4,800
29	C. Industrial minor		
	(based upon EPA list		
31	of major and minor		
	source discharges)		
33	1. Discharges of	1,500	480
	cooling water,		
35	sanitary waste water		
	or treated storm water		
37	only		
	2. All others	1,500	6,000
39	D. Industrial major		
	(based upon EPA list of		
41	major source discharges)		
	1. Discharge of	4,800	3,000
43	cooling water or		
	sanitary waste water		
45	only		
	2. All others	4,800	8,800
47	E. Publicly owned		
	treatment works		
49	1. Flow of less	100	400
	than or equal to		
51	50,000 gallons per		

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1	day and no significant industrial component		
3	2. Flow of greater than 50,000 gallons per day, but less than 0.5 million gallons per day and no significant industrial component	100	1,400
5			
7			
9	3. Flow of at least 0.5 million gallons per day, but less than 5 million gallons per day and no significant industrial component	100	3,600
11			
13			
15			
17	4. Flow of at least 5 million gallons per day or a significant industrial component	300	5,400
19			
21	F. Special discharges		
	1. Aquatic pesticides	130	75
23	2. Dredge spoils	130	75
	418, Log storage	55	25
25	421, Solid waste disposal areas	1,400	100
	427, Alteration of rivers, streams and brooks	150	50
27			
	451, Mixing zones	1,200	2,200
29	451-A, Time schedule variances	25	25
31	471, Coastal wetlands and sand dunes	3,500	1,500
33	483, Site location		
	A. Affordable housing subdivisions	50/lot	50/lot
35			
	A-1. Other subdivisions with public water and sewers	175/lot	175/lot
37			
	A-2. Other subdivisions	250/lot	250/lot
39	B. Structures	4,000	2,000
41	C. Mining	1,500	1,000
	D. Other	1,000	1,000
43	543, Oily waste discharge	40	160
	560, Vessels at anchorage	125	100
45	587, Ambient air quality or emissions standards	5,050	50
47	variances	5,050	50
	590, Air emissions licenses		
49	A. Greater than or equal to 1,000 tons per year of any	10,050	1,200
51			

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1	criteria air		
	pollutant		
3	B. Greater than or	5,050	400
	equal to 100 tons		
5	per year, but less		
	than 1,000 tons per		
7	year of any criteria		
	air pollutant		
9	C. Greater than or	1,050	100
	equal to 50 tons per		
11	year, but less than		
	100 tons per year of		
13	any criteria air		
	pollutant		
15	D. Less than 50	525	50
	tons per year of		
17	any criteria air		
	pollutant		
19	633, Hydropower projects		
	A. New or expanded	450/MW	50/MW
21	generating capacity		
	B. Maintenance and	50 150	25 50
23	repair or other		
	structural alterations		
25	not involving an		
	increase in generating		
27	capacity		
	1101, Sanitary districts	150	50
29	1304, Nonhazardous waste		
	facilities		
31	A. Septage facilities,	300	250
	other than landfill or		
33	landspreading sites		
	B. Sludge facilities,	550	500
35	other than landfill or		
	landspreading sites		
37	C. Landspreading sites	300	100
	D. Transfer stations	550	500
39	E. Landfills	4,725	4,500
	F. Resource recovery and	1,575	1,500
41	volume reduction facilities		
	G. Other, including	550	250
43	land-applied utiliza-		
	tion programs		
45	H. Septage disposal site	50	25
	designation		
47			
	United States Code, Title 33,		
49	Chapter 26, Water Quality		
	Certifications, in conjunction		
51	with applications for hydro-		
	power project <u>licensing or relicensing</u>	450/MW	50/MW

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1	<u>A. Initial consultation</u>	<u>1,000</u>	<u>0</u>
	<u>B. Second consultation</u>	<u>1,000</u>	<u>0</u>
3	<u>C. Application</u>		
	<u>1. Storage</u>	<u>1,000</u>	<u>0</u>
5	<u>2. Generating</u>	<u>300/MW</u>	<u>50/MW</u>

7 **Sec. 2. Allocation.** The following funds are allocated from the
 9 Maine Environmental Protection Fund to carry out the purposes of
 this Act.

11 **1990-91**

13 **ENVIRONMENTAL PROTECTION,**
 15 **DEPARTMENT OF**

17 **Bureau of Land Quality Control**

19 **Division of Natural Resources**

21 **Hydropower Unit**

23	Positions	(1)
	Personal Services	\$28,300
	All Other	7,075
25	Capital Expenditures	2,000

27 Provides funds for use
 29 solely in the hydropower
 review unit to assist in the
 31 review of hydropower licenses
 and relicenses, including
 33 assistance in the
 consultation process pursuant
 35 to relicensing under the
 Federal Power Act.

37 **DEPARTMENT OF ENVIRONMENTAL**
 39 **PROTECTION**
TOTAL

\$37,375

41 **FISCAL NOTE**

43 Enactment of this bill would result in:

45 (1) An increase in dedicated revenue to the Department
 47 of Environmental Protection the Maine Environmental
 Protection Fund, in the amount of \$30,000 for fiscal
 49 year 1989-90 and \$40,00 for fiscal year 1990-91. This
 increase in dedicated revenue is based on the proposed
 increase in fees relating to hydropower licensing; and

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(2) An allocation of other special revenue to the Department of Environmental Protection Bureau of Land Quality Control, in the amount of \$37,375 for fiscal year 1991.'

STATEMENT OF FACT

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The purpose of this amendment is to increase fees relative to hydropower licensing, provide an allocation from the Maine Environmental Protection Fund, and include a fiscal note.

Reported by the Committee on Appropriations and Financial Affairs
Reproduced and distributed under the direction of the Clerk of the
House
6/13/89

(Filing No. H-505)