

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " B " to HOUSE AMENDMENT "F" to H.P. 192, L.D. 274, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the bill by inserting before the emergency clause a new Part to read:

PART GG

38 MRSA §451-A, sub-§1-A, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §52 and c. 926, §1, is repealed and the following enacted in its place:

1-A. Time schedule for salt and sand-salt storage program.
An owner or operator of a salt or sand-salt storage area is not in violation of any ground water classification or reclassification adopted on or after January 1, 1980, at any time prior to October 1, 1999, with respect to discharges to the ground water from those facilities, if by that time the owner or operator has completed all steps then required to be completed by the schedules set forth in this subchapter. The commissioner shall administer this schedule according to the project priority list adopted by the board pursuant to section 411 and the provisions of this subsection.

A. Preliminary plans and engineers' estimates must be completed and submitted to the Department of Transportation by the following dates:

- (1) For Priority 1 and 2 projects - January 1992;
- (2) For Priority 3 project - January 1993;
- (3) For Priority 4 project - January 1994; and

2 (4) For Priority 5 project - January 1995.

4 B. Arrangements for administration and financing must be
6 completed within 12 months of the dates established in
paragraph A for each priority category.

8 C. Detailed engineering and final plan formulation must be
10 completed within 24 months of the dates established in
paragraph A for each priority category.

12 D. Review of final plans with the Department of
14 Transportation must be completed and construction commenced
16 within 36 months of the dates established in paragraph A for
each priority category. The Department of Transportation
shall consult with the commissioner in reviewing final plans.

18 E. Construction must be completed and in operation on or
20 before January 1, 1999.

In no case may violations of the lowest ground water
22 classification be allowed. In addition, no violations of any
24 ground water classifications adopted after January 1, 1980, may
26 be allowed for more than 3 years from the date of an offer of a
state grant for the construction of those facilities or after
January 1, 1999, whichever is earlier.

28 The department may not issue time schedule variances under
30 subsection 1 to owners or operators of salt or sand-salt storage
areas.

32 An owner or operator of a salt or sand-salt storage area who is
34 in compliance with this section is exempt from the requirements
of licensing under section 413, subsection 2-D.

36 An owner or operator is not in violation of a schedule
38 established pursuant to this subsection if the owner or operator
40 is eligible for a state grant to implement the schedule and the
state grant is not available.'

42 Further amend the amendment by relettering the Parts to read
consecutively.'

44 **STATEMENT OF FACT**

46 This amendment deletes the provision that defers
48 implementation of state mandates enacted after January 1, 1984.
This amendment also retains the provision that an owner or
50 operator of a salt or sand-salt storage area is not in violation
of any ground water classification adopted on or after January 1,

SENATE AMENDMENT "B" to HOUSE AMENDMENT "F" to H.P. 192, L.D. 274

1980, at any time prior to October 1, 1999, if the owner or operator completes the steps set forth in the amendment.

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(Senator ESTES)

SPONSORED BY:

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