

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1283

S.P. 481

In Senate, March 25, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

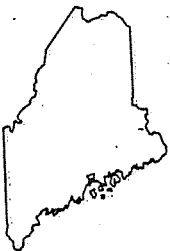
Presented by President PRAY of Penobscot

Cosponsored by Representative LORD of Waterboro, Senator TITCOMB of Cumberland and Representative HOGLUND of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Facilitate Review of Applications Submitted to The
Department of Environmental Protection.**



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

2
38 MRSA §344, sub-§10 is enacted to read:

4
5 10. Extra-departmental review. Not later than January 1,
6 1992, the commissioner shall establish by rule a procedure
7 permitting review of applications or portions of applications by
8 individuals, partnerships, firms or corporations qualified to
9 perform such a review when effective and efficient administration
10 of the environmental permitting process permits. The applicant
11 shall pay the full cost of the review authorized by this
12 subsection. The rules must:

14 A. Establish standards of qualification for an individual,
15 partnership, firm or corporation performing the reviews;

16 B. Establish a method for selection of the individual,
17 partnership, firm or corporation to perform the review of a
18 particular application; and

19 C. Establish standards of design, construction or use
20 necessary to minimize or avoid environmental impacts.

24
25 **STATEMENT OF FACT**

26
27 The bill directs the Commissioner of Environmental
28 Protection to establish a procedure by which an applicant for a
29 permit may request a review by qualified professionals outside
30 the department of all or part of the application. It is designed
31 to relieve some of the backlog in the department.

32
33 The commissioner is directed to adopt rules governing the
34 selection of outside professionals and the standards of the
35 review they will be required to follow. The bill extends the
36 current practice now used by the department for review of
37 portions of applications by several soil and water conservation
38 districts.