

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1463, L.D. 2075, Bill, "An Act to Prohibit the Dismantling of Products That Contain Hazardous Material near Water Supplies"

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

'An Act to Protect Ground Water Supplies Near Automobile Dismantling, Salvage and Recycling Operations'

Further 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. 30-A MRSA §3752, sub-§1, ¶B is enacted to read:

B. "Automobile graveyard" includes an area used for automobile dismantling, salvage and recycling operations.

Sec. 2. 30-A MRSA §3755, sub-§2-A is enacted to read:

2-A. Public and private water supplies. No permit may be granted for automobile graveyard operations within 100 feet of a well that serves as a public or private water supply. This prohibition does not include a private well that serves only the automobile graveyard or the owner's or operator's abutting residence. This prohibition does not apply to wells installed after the effective date of this subsection if the automobile graveyard has already received a permit under section 3753.

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Sec. 3. 38 MRSA §1310-N, sub-§2-E is enacted to read:

2-E. Automobile dismantling, recycling and salvage operations. The department may not issue a license for a solid waste facility that is larger than 3 acres in size and that is the location of automobile dismantling, recycling and salvage if the boundaries of the facility are located within 100 feet of a well that serves as a public or private water supply. This prohibition does not include a private well that serves only the facility or the owner's or operator's abutting residence.

Sec. 4. Application. Annual permits issued under the Maine Revised Statutes, Title 30-A, section 3753 remain in effect until those permits expire.

Sec. 5. Costs not funded. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local and county government are not state mandates subject to that section and the State is not required to fund those costs.

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STATEMENT OF FACT

This amendment strikes the original bill and replaces it with provisions restricting the location of automobile dismantling, recycling or salvage operations.

This amendment prohibits granting a permit for automobile dismantling, recycling or salvage operations that are within 100 feet of a well that is used as a private or public water supply under municipal law and state law. The well serving the facility to be permitted and the owner or operator's abutting residence is exempt from this prohibition.

Existing annual municipal permits are grandfathered until those permits expire. This bill also makes explicit that any requirements for municipalities pursuant to this bill are not state mandates and do not require state funding.

Reported by the Committee on Energy and Natural Resources.
Reproduced and distributed under the direction of the Clerk of the House.
2/24/92 (Filing No. H-972)