

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 288

S.P. 113

In Senate, January 27, 1995

**An Act Preventing the Increase of Any Processing or Permitting Fees in
the Department of Environmental Protection.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator LORD of York.

Cosponsored by Senators: CAREY of Kennebec, CARPENTER of York, FERGUSON of Oxford, PENDEXTER of Cumberland, Representatives: AHEARNE of Madawaska, BAILEY of Township 27, GOULD of Greenville, HICHBORN of LaGrange, KNEELAND of Easton, RICE of South Bristol, STROUT of Corinth.

2	413, Waste discharge licenses		
2	A. Residential		
	(10-year term)	450	150
4	B. Commercial		
	(10-year term)		
6	1. Flow of less than		
	2,000 gallons per day	4,800	1,280
8	2. Flow of 2,000 to		
	20,000 gallons per		
10	day inclusive	4,800	4,000
12	3. Flow of greater		
	than 20,000 gallons		
	per day	4,800	9,600
14	C. Industrial minor		
	(based upon EPA list		
16	of major and minor		
	source discharges)		
18	1. Discharges of	1,500	480
	cooling water,		
20	sanitary wastewater		
	or treated storm water		
22	only		
	2. All others	1,500	6,000
24	D. Industrial major		
	(based upon EPA list of		
26	major source discharges)		
	1. Discharge of	4,800	3,000
28	cooling water or		
	sanitary wastewater		
30	only		
	2. All others	4,800	8,800
32	E. Publicly owned		
	treatment works		
34	1. Flow of less	100	400
	than or equal to		
36	50,000 gallons per		
	day and no significant		
38	industrial component		
	2. Flow of greater	100	1,400
40	than 50,000 gallons		
	per day, but less		
42	than 0.5 million		
	gallons per day and		
44	no significant		
	industrial component		
46	3. Flow of at least	100	3,600
	0.5 million gallons		
48	per day, but less		
	than 5 million		
50	gallons per day and		
	no significant		
52	industrial component		

2	4. Flow of at least	300	5,400
4	5 million gallons per day or a significant industrial component		
	F. Special discharges		
6	1. Aquatic pesticides	130	75
8	2. Dredge spoils	130	75
	418, Log storage	55	25
	451, Mixing zones	1,200	2,200
10	451-A, Time schedule variances	25	25
12	480-E, Natural resources protection		
14	A. Any alteration of a protected natural resource, except coastal wetlands and coastal sand dunes, causing less than 20,000 square feet of alteration of the resource	140	50
16			
18			
20	B. Any alteration of a coastal wetland causing less than 20,000 square feet of alteration of the resource	240	60
22			
24	C. Any alteration of a $\geq 0.15/\text{sq. ft.}$ $\geq 0.05/\text{sq. ft.}$ protected natural resource, except coastal sand dunes, causing 20,000 square feet or more of alteration of the resource	alteration	alteration
26			
28			
30	D. Any alteration of a coastal sand dune	3,500	1,500
32	E. Condition compliance	84	0
34	F. Minor modification	184	0
	A. Great ponds	75	50
36	B. Alteration of rivers, streams or brooks	150	50
	C. Freshwater wetlands	100	50
38	D. Coastal wetlands and sand dunes	3,500	1,500
40			
	485-A, Site location of development		
42	A. Residential subdivisions		
	1. Affordable housing	134/lot	50/lot
44	2. On public water or sewer	320/lot	175/lot
46	3. All others	460/lot	250/lot
	B. Industrial parks	460/lot	460/lot
48	C. Mining, except metallic mineral mining. The owner or operator of a licensed mining operation, excluding	3,600	1,800
50			

2	metallie-mineral-mining,		
	must-pay-an-annual-fee-of		
4	\$620-by-March-1st-of-each		
	year,-beginning-the-year		
6	following-the-calendar		
	year-the-license-is-issued		
	D.--All-other-developments	5,600	2,000
8	E.--Condition-compliance	100	0
	F.--Minor-modification	184	0
10	G.--Transfer	100	0
	A. <u>Affordable housing</u>	<u>50/lot</u>	<u>50/lot</u>
12	<u>subdivisions</u>		
	A-1. <u>Other subdivisions</u>	<u>175/lot</u>	<u>175/lot</u>
14	<u>with public water and</u>		
	<u>sewers</u>		
16	A-2. <u>Other subdivisions</u>	<u>250/lot</u>	<u>250/lot</u>
	B. <u>Structures</u>	<u>4,000</u>	<u>2,000</u>
18	C. <u>Mining</u>	<u>1,500</u>	<u>1,000</u>
	D. <u>Other</u>	<u>1,000</u>	<u>1,000</u>
20	543, Oily waste discharge	40	160
	560, Vessels at anchorage	125	100
22	587, Ambient air quality	5,050	50
	or emissions standards		
24	variances		
	590, Air emissions licenses	See section 353-A	
26	633, Hydropower projects		
	A. New or expanded	450/MW	50/MW
28	generating capacity		
	B. Maintenance and	150	50
30	repair or other		
	structural alterations		
32	not involving an		
	increase in generating		
34	capacity		
	1101, Sanitary districts	150	50
36			
	33 United States Code,		
38	Chapter 26, Water Quality		
	Certifications, in conjunction		
40	with applications for		
	hydropower project licensing		
42	or relicensing		
	A. Initial consultation	1,000	0
44	B. Second consultation	1,000	0
	C. Application		
46	1. Storage	1,000	0
	2. Generating	300/MW	50/MW
48	1304, Waste management		
	A. Septage disposal		
50	1. Site designation	50	25
	B. Land application of		

	sludges and residuals		
2	program approval		
	1. Industrial sludge	400	400
4	2. Municipal sludge	300	275
	3. Bioash	300	275
6	4. Wood ash	300	75
	5. Food waste	300	75
8	6. Other residuals	300	175
	C. Landfill		
10	1. Closing plans for nonmunicipal landfills	1,500	1,500
12	2. Closing plans for municipal landfills	500	500
14	3. Variance requests for attenuation landfills	175	175
16	4. Preliminary information reports	175	175
18	5. License transfers	500	175
20	6. Special waste disposal		
22	a. One-time disposal of quantities of 6 cubic yards or less	50	50
24	b. One-time disposal of quantities greater than 6 cubic yards	100	100
26	c. Program approval for routine disposal of a special waste	300	300
28	D. Incineration facility		
30	1. Fuel substitution activities	1,575	1,500
32	2. License transfer	175	175
34	E. License transfer other than for landfills and incinerators	100	100

42 **Sec. 2. PL 1993, c. 735, §9** is repealed.

44 **Sec. 3. Appropriation.** The following funds are appropriated
 46 from the General Fund to carry out the purposes of this Act.

1995-96

48 **ENVIRONMENTAL PROTECTION,**
 50 **DEPARTMENT OF**

Ground Water Oil Clean-up Fund

2

All Other \$184,000

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Provides for the appropriation of funds to
reimburse the Ground Water Oil Clean-up Fund
for a transfer in fiscal year 1994-95 of
\$184,000 from the fund to the Maine
Environmental Protection Fund.

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Sec. 4. Fee legislation. The Commissioner of Environmental
Protection may not request the Governor or any Legislator to
submit a bill in the Second Regular Session or any special
sessions of the 117th Legislature that seeks an increase in any
fee.

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Emergency clause. In view of the emergency cited in the
preamble, this Act takes effect on July 1, 1995.

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STATEMENT OF FACT

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This bill strikes increases in processing fees and
certification fees under the Natural Resources Protection Act and
the Site Location of Development Law. Under Public Law 1993,
chapter 735, these fee increases are scheduled to go into effect
July 1, 1995 and are set to raise an additional \$184,000 for the
Maine Environmental Protection Fund. In fiscal year 1995-96,
this \$184,000 must be transferred from the Maine Environmental
Protection Fund to the Ground Water Oil Clean-up Fund. The
purpose of the transfer is to reimburse the Ground Water Oil
Clean-up Fund for \$184,000 transferred in fiscal year 1994-95
from the fund to the Maine Environmental Protection Fund to
support 3 positions.

34

This bill amends the fee schedule by replacing the increased
fees with those fees in effect on June 30, 1995. This bill also
includes a \$184,000 General Fund appropriation for 1995-96 to
reimburse the Ground Water Oil Clean-up Fund for the fiscal year
1994-95 transfer to the Maine Environmental Protection Fund. It
also repeals the requirement in Public Law 1993, chapter 735
that, in fiscal year 1995-96, \$184,000 be transferred from the
Maine Environmental Protection Fund to the Ground Water Oil
Clean-up Fund.

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The bill also prohibits the Department of Environmental
Protection from requesting any fee increases from the 117th
Legislature in its second regular session or any special sessions.

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