

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1431

H.P. 1016

House of Representatives, April 27, 1995

**An Act to Require the State to Provide Its Share in Implementing the Salt and Sand Schedules.**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DEXTER of Kingfield.  
Cosponsored by Representative: BAILEY of Township 27.

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

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**Sec. 1. 38 MRSA §451-A, sub-§1-A,** as amended by PL 1993, c. 54, §1, is further amended to read:

**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, 2003, 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 1996;
- (2) For Priority 3 project - January 1997;
- (3) For Priority 4 project - January 1998; and
- (4) For Priority 5 project - January 1999.

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

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

D. Review of final plans with the Department of Transportation must be completed and construction commenced 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.

E. Construction must be completed and the facility in operation within 48 months of the dates established in paragraph A for each priority category.

In no case may violations of the lowest ground water classification be allowed. In addition, no violations of any

2 ground water classifications adopted after January 1, 1980, may  
be allowed for more than 3 years from the date of an offer of a  
4 state grant for the construction of those facilities or after  
January 1, 2003, whichever is earlier.

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

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

14 ~~An owner or operator is not in violation of a schedule  
established pursuant to this subsection if the owner or operator  
16 is eligible for a state grant to implement the schedule and the  
state grant is not available.~~

18 If the State does not provide funding according to the formula in  
20 Title 23, section 1851, the owner or operator eligible for a  
state grant may not be required to incur any costs to implement  
22 the schedule, nor is the owner or operator in violation of a  
schedule established pursuant to this subsection.

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## 28 STATEMENT OF FACT

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30 This bill requires the State to provide its share of the  
costs associated with implementing the time schedule for the salt  
and sand-salt storage program.