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	L.D. 2111								
. 2	DATE: April 3,1998 (Filing No. S-712)								
4	21111 Ho. 5- 112								
6	Reproduced and distributed under the direction of the Secretary of the Senate.								
8	STATE OF MAINE								
10	SENATE								
12	118TH LEGISLATURE SECOND SPECIAL SESSION								
14	SENATE AMENDMENT " & " to COMMITTEE AMENDMENT "A" to S.P.								
16	784, L.D. 2111, Bill, "An Act to Reauthorize the Toxics and Hazardous Waste Reduction Laws"								
18	Amend the amendment in section 8 in subsection 5 in the last								
2.0	blocked paragraph in the first line (page 3, line 27 in amendment) by striking out the following: "January 1" and								
22	inserting in its place the following: 'February 15'								
24	Further amend the amendment in section 17 in subsection 5 in the first paragraph in the 3rd line (page 9, line 16 in								
26	amendment) by striking out the following: "2000" and inserting in its place the following: '2001'								
28	Further amend the amendment in section 17 in subsection 5 in								
30	the first paragraph by striking out all of the last underlined sentence (page 9, lines 24 and 25 in amendment)								
32	Further amend the amendment in section 17 in subsection 5 by								
34	striking out all of paragraphs A to E.								
36	Further amend the amendment in section 17 in subsection 5 by striking out all of the last blocked paragraph and inserting in								
38	its place the following:								
40	'If a facility, after triggering the exemption in this subsection, increases the amount of toxics used, toxics released								
42	or hazardous waste generated per unit of product at the facility, whichever is applicable, using 1998 as the base year, the								

Page 1-LR3019(9)

	SENATE AMENDMENT " ${\cal B}$ " to COMMITTEE AMENDMENT "A" to S.P. 784, L.D. 2111
	gommissioner generalering fortune such as progress and product
2	commissioner, considering factors such as process and product changes, may offer technical assistance and work with the
4	facility to develop a reduction plan.'
6	Further amend the amendment in section 17 by striking out all of subsection 6 and inserting in its place the following:
8	6. Environmental awards program for toxics use
10	reductions. The department shall establish an awards program to publicly reward facilities that achieve the use reduction goals as follows.
12	
14	A. The department shall give an environmental biennial award to facilities that achieve the revised 30% use reduction goal established in section 2303, subsection 1-A
16	by January 1, 2006.
1.8	B. The department shall give an environmental biennial award to facilities that achieve a 51% reduction in the
20	amount of toxics used at the facility by January 1, 2001 based on a 1990 baseline and that perform one of the
22	following projects:
24	(1) Serving as a mentor to another company to assist that company in meeting the reduction goals established
26	in section 2303 and improving its environmental
28	management and performance. This project must be conducted pursuant to a written agreement with the
30	other company and approved by the department;
32	(2) Developing an environmental management system based on criteria established by the department and
34	reviewing and updating it biennially. This project must be approved by the department and performed with
36	guidance from the department;
38	(3) Conducting a comprehensive multimedia pollution prevention and compliance audit of the facility, with
40	the approval of the department; or
42	(4) Completing a pollution prevention project approved by the department.'
44	Further amend the amendment in section 26 in that part designated "\$2307-A." in subsection 4 by striking out all of
46	paragraphs C to G and inserting in their place the following:
48	'C. A description of the reduction options identified and the reasons why the options were accepted or rejected or
50	need further evaluation: and

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SENATE AMENDMENT " $oldsymbol{eta}$ " to COMMITTEE AMENDMENT "A" to S.P. 784, L.D. 2111

2	D.	A	description	of	employee	notification	and	involvement
			planning pro					

Further amend the amendment by striking out all of section 32.

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FISCAL NOTE

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The Department of Environmental Protection will incur some minor additional costs to work with certain facilities to develop toxic waste reduction plans. These costs can be absorbed within the department's existing budgeted resources.

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SUMMARY

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This amendment changes the reporting date for an interim report to be submitted by the Department of Environmental Protection to the joint standing committee of the Legislature having jurisdiction over natural resources matters from January 1, 2001 to February 15, 2001.

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The amendment extends from January 1, 2000 to January 1, 2001 the date by which a facility must reduce the aggregate amount of toxics used, toxics released or hazardous waste generated by 51% or more in order to be exempt from the revised reduction goals. The amendment strikes the antibacksliding provision from the committee amendment and authorizes the Commissioner of Environmental Protection to offer technical assistance and work with the facility to develop a reduction plan if a facility that is exempt from the revised reduction goals increases the amount of toxics used, toxics released or hazardous waste generated per unit of product at the facility, whichever is applicable, using 1998 as the base year.

The amendment moves the provision requiring the department to establish a biennial environmental awards program to reward toxics use reduction from unallocated law into statutory law.

Page 3-LR3019(9)

SENATE AMENDMENT " \mathcal{B} " to COMMITTEE AMENDMENT "A" to S.P. 784, L.D. 2111

The amendment strikes several of the elements that were required to be included in plan summaries.

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