

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

Reported by: MINORITY

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 784, L.D. 2111, Bill, "An Act to Reauthorize the Toxics and Hazardous Waste Reduction Laws"

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

'An Act to Continue the Toxics and Hazardous Waste Reduction Goals and Fees'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 38 MRSA §2303, sub-§1, as repealed and replaced by PL 1991, c. 520, §11, is amended to read:

1. Toxics use reduction goals. Using the amount of toxics used statewide in 1990 as a baseline figure, the goals for toxics use reduction are a 10% reduction in the amount of toxic substances used in the State by January 1, 1994, a 20% reduction by January 1, 1996 and a 30% reduction by January 1, 1998 1999.

Sec. 2. 38 MRSA §2303, sub-§2, as amended by PL 1991, c. 520, §12, is further amended to read:

2. Toxics release reduction goals. Using an average of the aggregate amounts of toxics released at a facility in calendar years 1990 and 1991 as a baseline figure, the goals for reducing the aggregate amount of toxics released to the environment at the facility are a 10% reduction by January 1, 1994, a 20% reduction by January 1, 1996 and a 30% reduction by January 1, 1998 1999.

2 Until a base year and measurement techniques are established,
3 there are no specific goals for worker exposure to toxics
4 releases, but owners or operators of those facilities regulated
5 by this chapter must examine means to reduce exposure. For
6 purposes of this subsection, toxics refers to substances listed
7 pursuant to the SARA, Title III, Section 313. To assist
8 facilities in complying with this subsection, the Commissioner of
9 Environmental Protection shall develop a methodology to measure
10 reductions for toxics releases. This methodology may be based on
11 reports filed with the Maine Emergency Management Agency pursuant
12 to the SARA, Title III, Section 313, and other available data.

13 **Sec. 3. 38 MRSA §2303, sub-§3**, as amended by PL 1991, c. 520,
14 §12, is further amended to read:

15 **3. Hazardous waste generation minimization goals.** The
16 goals for minimizing the amount of hazardous waste generated at a
17 facility are a 10% reduction by January 1, 1994, a 20% reduction
18 by January 1, 1996 and a 30% reduction by January 1, 1998 1999.
19 Reductions must be based on a facility's average generation rate
20 for the years 1987 and 1989.

21 **Sec. 4. 38 MRSA §2311, first ¶**, as enacted by PL 1989, c. 929,
22 §7, is amended to read:

23 The commissioner shall deposit all money received in payment
24 of fees under this section in a separate account within the Maine
25 Hazardous Waste Fund to cover expenses incurred by the department
26 in the administration of this chapter. The fee requirements
27 established in this section remain in effect notwithstanding
28 achievement of the reduction goals established in section 2303.

29 **Sec. 5. Report.** The Department of Environmental Protection
30 shall submit a report to the joint standing committee of the
31 Legislature having jurisdiction over natural resources matters no
32 later than January 1, 1999 regarding the toxics use and hazardous
33 waste reduction laws and any recommendations for changes to those
34 laws. In developing the report and recommendations, the
35 department shall consult with interested parties.'

36 Further amend the bill by inserting at the end before the
37 summary the following:

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FISCAL NOTE

The Department of Environmental Protection will incur some
minor additional costs to submit a required report to the
Legislature. These costs can be absorbed within the department's
existing budgeted resources.'

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SUMMARY

6 This amendment, which is the minority report of the Joint
8 Standing Committee on Natural Resources, replaces the bill and
10 changes the title. The amendment extends the deadline for
12 meeting the 30% reduction goals for toxics use, toxics release or
14 hazardous waste generation from January 1, 1998 to January 1,
16 1999. The amendment clarifies that the fee requirements for
18 toxics users, toxics releasers and hazardous waste generators
continue regardless of whether the goals are met. The amendment
also requires the Department of Environmental Protection to
consult with interested parties and to submit a report to the
joint standing committee of the Legislature having jurisdiction
over natural resources matters no later than January 1, 1999
regarding the toxics use and hazardous waste reduction laws and
any recommendations for changes.