

MAINE STATE LEGISLATURE

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L.D. 2111

DATE: 4-7-98

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "A" 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Sec. 1. 38 MRSA §2303, sub-§1, as repealed and replaced by PL 1991, c. 520, §11, is amended to read: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. Until a base year and measurement techniques are established, there are no specific goals for worker exposure to toxics releases, but owners or operators of those facilities regulated by this chapter must examine means to reduce exposure. For

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2 purposes of this subsection, toxics refers to substances listed
3 pursuant to the SARA, Title III, Section 313. To assist
4 facilities in complying with this subsection, the Commissioner of
5 Environmental Protection shall develop a methodology to measure
6 reductions for toxics releases. This methodology may be based on
7 reports filed with the Maine Emergency Management Agency pursuant
8 to the SARA, Title III, Section 313, and other available data.

9
10 **Sec. 3. 38 MRSA §2303, sub-§3**, as amended by PL 1991, c. 520,
11 §12, is further amended to read:

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

18
19 **Sec. 4. 38 MRSA §2311, first ¶**, as amended by PL 1997, c. 643,
20 Pt. L, §1, is further amended to read:

21 The commissioner shall deposit all money received in payment
22 of fees under this section in a separate account within the Maine
23 Hazardous Waste Fund to cover expenses incurred by the department
24 in the administration of this chapter. ~~The fees authorized as of~~
25 ~~January 1, 1997 remain in effect until superseded.~~ The fee
26 requirements established in this section remain in effect
27 notwithstanding achievement of the reduction goals established in
28 section 2303.

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

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

40
41
42 **'FISCAL NOTE**

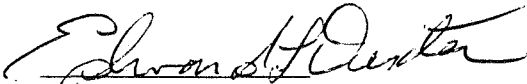
43
44 The Department of Environmental Protection will incur some
45 minor additional costs to submit a required report to the
46 Legislature. These costs can be absorbed within the department's
47 existing budgeted resources.'

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SUMMARY

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This amendment, which is the same as the minority report of the Joint Standing Committee on Natural Resources, replaces the bill and changes the title. The amendment extends the deadline for meeting the 30% reduction goals for toxics use, toxics release or hazardous waste generation from January 1, 1998 to January 1, 1999. The amendment clarifies that the fee requirements for 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.

SPONSORED BY: 
(Representative DEXTER)

TOWN: Kingfield

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