

# MAINE STATE LEGISLATURE

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**NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1618, L.D. 2117, "Resolve, Regarding Legislative Review of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a Major Substantive Rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection"

Amend the resolve by striking out all of section 1 and inserting in its place the following:

**'Sec. 1. Adoption. Resolved:** That final adoption of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a provisionally adopted major substantive rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized only if the rule is amended as follows:

1. The rule must be amended to state that the siting restrictions for new underground oil storage facilities contained in Section 3-A of the rules do not apply to new underground oil storage facilities that are registered and installed prior to August 1, 2002.

The Board of Environmental Protection within the Department of Environmental Protection is not required to hold hearings or conduct other formal proceedings on this rule prior to finally adopting this rule in accordance with this resolve.'

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

2

**FISCAL NOTE**

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6 The establishment of certain restrictions on the siting of  
8 future underground storage tank facilities is likely to avoid  
10 future costs to the Groundwater Oil Clean-up Fund within the  
12 Department of Environmental Protection. The amounts can not be  
14 determined at this time.'

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**SUMMARY**

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16 This amendment requires that the rule be amended to state  
18 that the siting restrictions for new underground oil storage  
20 facilities contained in Section 3-A of the rules do not apply to  
22 new underground oil storage facilities that are registered and  
installed prior to August 1, 2002. The amendment also specifies  
that no additional hearings or other formal proceedings are  
required on this rule prior to the Board of Environmental  
Protection within the Department of Environmental Protection  
finally adopting the rule in accordance with this resolve. The  
amendment also adds a fiscal note to the resolve.