### MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)



		L.D. 1863							
2	DATE: 3.24.03	(Filing No. S- 449							
4									
6	NATURAL RESOURCES								
8	Reported by:								
10	Reproduced and distributed under of the Senate.	the direction of the Secretary							
12		MAINE							
14	STATE OF MAINE SENATE 121ST LEGISLATURE								
16	SECOND SPECIAL SESSION								
18	COMMITTEE AMENDMENT "A" to	S.P. 709, L.D. 1863, Bill, "An							
20	Act To Provide Additional Financin Remediation of a Waste Oil Handling	g for Costs Associated with the							
22									
24	and before the summary and inserting	out everything after the title ng in its place the following:							
26 28	'Emergency preamble. Whereas, become effective until 90 days as as emergencies; and	Acts of the Legislature do not Eter adjournment unless enacted							
-		Old Garatana and Astronau Matan							
30	corporation, operated a waste oil	e Oil Services, a defunct Maine handling facility in Plymouth;							
32	and								
34	Whereas, this site is contar expeditiously to protect the publ	minated and must be cleaned up ic health, safety and welfare;							
36	and								
38	Whereas, investigation and expensive; and	cleanup of the site will be							
40	Whereas, under state and fed	eral law, any entity that sent							
42	waste oil or other contaminants party" and, as such, is jointly an	to the site is a "responsible							
44	of investigation and cleanup; and	•							
46	Whereas, this liability may	pose an extraordinary financial							

Page 1-LR2715(2)

hardship to small businesses, municipalities and others who sent

waste oil to the site; and

48





Whereas, some waste oil handled at the site was collected from households as a public service and it is in the public interest to ensure the continued financial viability of the service station owners and other small business owners who provided this service; and

Whereas, responsible parties at the Plymouth site have been asked to reimburse the United States Environmental Protection Agency for expenses incurred at that site; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 10 MRSA §1023-M, sub-§§2-B and 2-C are enacted to read:

2-B. Deadline for applications. Applications submitted pursuant to subsections 2 and 2-C must be received within 90 days after the effective date of this subsection, except that the authority may extend that deadline by an additional period of time not to exceed 60 days for good cause shown.

2-C. Remedial design: technical impracticability study. In addition to the uses authorized in subsection 2, money in the fund may be used for direct loans or deferred loans for remedial design or a technical impracticability study. Money may be used for remedial design only if the authority determines that the applicant has signed the Administrative Order by Consent for remedial design in the matter of the West Site/Hows Corner, Maine. The provisions of subsection 2 apply to loans authorized under this subsection.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.'

#### SUMMARY

This amendment adds an emergency clause and an emergency preamble to the bill. This amendment also avoids a conflict with newly enacted Public Law 2003, chapter 537 by striking the section concerning remedial design and technical impracticability

Page 2-LR2715(2)



COMMITTEE AMENDMENT "A" to S.P. 709, L.D. 18	COMMITTEE	AMENDMENT	"A"	to	S.P.	709,	L.D.	1863
--	-----------	-----------	-----	----	------	------	------	------

study and reformatting that provision as a unique subsection in the statutes.

4

6

FISCAL NOTE REQUIRED (See attached)

(See attached)

Page 3-LR2715(2)

## COMMITTEE AMENDMENT



# 121st Maine Legislature Office of Fiscal and Program Review

### LD 1863

An Act To Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Handling Facility Site in Plymouth

LR 2715(02)

Fiscal Note for Bill as Amended by Committee Amendment Committee: Natural Resources

Fiscal Note Required: Yes

### **Fiscal Note**

Minor cost increase - General Fund

### Fiscal Detail and Notes

There are sufficient funds available in the Waste Oil Clean-Up Fund for this purpose. Additional costs to the Finance Authority of Maine can be absorbed utilizing existing budgeted resources.