

# MAINE STATE LEGISLATURE

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L.D. 293

DATE: 5/2/5

(Filing No. H-243)

NATURAL RESOURCES

Majority

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 218, L.D. 293, Bill, "An Act To Ensure Financial Solvency in Maine's Air and Wastewater Licensing Programs"

Amend the bill by striking out all of section 1.

Further amend the bill in section 2 in paragraph A in the 3rd to 5th lines (page 3, lines 48 to 50 in L.D.) by striking out the following: "and to the monitoring and regulation of air emissions from the distribution and use of oil under chapter 4"

Further amend the bill by inserting after section 2 the following:

**Sec. 3. Gasoline station compliance inspection plan and report.**

The Department of Environmental Protection shall prepare and implement a plan to train program personnel to conduct cross-media compliance inspections of gasoline stations. The department also shall prepare a report regarding the feasibility and advisability of conducting a pilot program using state-certified inspectors to conduct gasoline station compliance inspections. If appropriate, the report must describe how the pilot program will be implemented. The Commissioner of Environmental Protection shall submit the report to the Joint Standing Committee on Natural Resources no later than February 3, 2006.

**Sec. 4. One-time fee for general permit coverage for industrial storm water discharges.** Until September 30, 2006, the

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 218, L.D. 293

Department of Environmental Protection may assess a one-time fee of up to \$350 for general permit coverage for industrial storm water discharges.

**Sec. 5. Report.** The Department of Environmental Protection shall prepare a report on the fees assessed for general permit coverage for industrial storm water discharges pursuant to section 3 of this Act. The report must include an examination of:

1. The fee assessed for each industry category;
2. The fees, if any, that should be assessed after September 30, 2006;
3. Whether additional categories of industries should be assessed the fee;
4. Whether the fee should be assessed based on the industrial activity performed; and
5. Whether public entities should be assessed the fee.

The Commissioner of Environmental Protection shall submit the report to the Joint Standing Committee on Natural Resources no later than January 30, 2006. The Joint Standing Committee on Natural Resources may report out legislation dealing with fees for general permit coverage for industrial storm water discharges to the Second Regular Session of the 122nd Legislature.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment is the majority report. It removes from the bill the annual fee for general permit coverage for industrial storm water discharges and instead authorizes the Department of Environmental Protection to assess a one-time fee of up to \$350 for general permit coverage for industrial storm water discharges until September 30, 2006. The amendment also directs the Department of Environmental Protection to prepare a report on the fees assessed in connection with the general permit for industrial storm water discharges. The report must be submitted to the Joint Standing Committee on Natural Resources by January 30, 2006, and the committee is authorized to report out legislation dealing with the fee report to the Second Regular Session of the 122nd Legislature. The amendment also deletes language in the bill authorizing disbursements from the Ground Water Oil Clean-up Fund to pay costs incurred by the Department

**RdS.**

COMMITTEE AMENDMENT "A" to H.P. 218, L.D. 293

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of Environmental Protection to monitor and regulate air emissions from the distribution and use of oil. The amendment also directs the Department of Environmental Protection to prepare and implement a plan to train program personnel to conduct cross-media compliance inspections of gasoline stations and to prepare a report regarding the feasibility and advisability of conducting a pilot program using state-certified inspectors to conduct gasoline station compliance inspections.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 293

LR 0582(02)

## An Act To Ensure Financial Solvency in Maine's Air and Wastewater Licensing Programs

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Natural Resources

Fiscal Note Required: Yes

Majority Report

### Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
<b>Revenue</b>				
Other Special Revenue Funds	\$120,000	\$0	\$0	\$0

#### Fiscal Detail and Notes

Establishing a new one-time fee of up to \$350 for a general permit for industrial storm water discharges will result in an increase in dedicated revenue to the Maine Environmental Protection Fund of approximately \$120,000 in fiscal year 2005-06 only. This estimate is based on an average fee of \$300 per facility with an expected 400 facilities being licensed. The additional work associated with this former federal responsibility will be performed by existing staff within the Maine Environmental Protection Fund and therefore no new allocations are required at this time. Also, section 2 of this bill increases the "administrative cap" on expenditures from the Groundwater Oil Clean Up Fund from \$2,900,000 to \$3,700,000 and continues an annual adjustment factor of 4%.