

# MAINE STATE LEGISLATURE

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NATURAL RESOURCES

Minority

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

COMMITTEE AMENDMENT "B" 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.

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**Sec. 4. General permit coverage for industrial storm water discharges; budget consideration.** The Department of Environmental Protection may not assess a fee for general permit coverage for industrial storm water discharges. Beginning fiscal year 2006-07, consideration of any appropriation or allocation for implementation of a program for industrial storm water discharges must be included in consideration of the budget for the Department of Environmental Protection, Bureau of Land and Water Quality.'

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

**SUMMARY**

This amendment is the minority report. It removes from the bill the annual fee for general permit coverage for industrial storm water discharges and provides that the Department of Environmental Protection may not assess a fee for general permit coverage for industrial storm water discharges. It also provides that consideration of any appropriation or allocation for implementation of a program for industrial storm water discharges must be included in consideration of the budget for the Department of Environmental Protection, Bureau of Land and Water Quality. 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 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)



Approved: 04/21/05 *MAC*

# 122nd MAINE LEGISLATURE

LD 293

LR 0582(03)

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

**Fiscal Note for Bill as Amended by Committee Amendment "B"**

**Committee: Natural Resources**

**Fiscal Note Required: Yes**

**Minority Report**

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## Fiscal Note

Current biennium cost increase - Other Special Revenue Funds  
Current biennium revenue increase - Other Special Revenue Funds

### Fiscal Detail and Notes

This additional costs associated with preparing and implementing a plan to train program personnel to conduct cross-media compliance inspections of gas stations including a report requirement can be absorbed by the Department of Environmental Protection utilizing existing budgeted resources. This legislation prohibits the Department of Environmental Protection from assessing fees for general permit coverage for industrial storm water discharges. 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%.