

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 293

H.P. 218

House of Representatives, January 18, 2005

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

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.
Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator COWGER of Kennebec.

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

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Sec. 1. 38 MRSA §353-B. sub-§2, ¶A. as amended by PL 2003, c. 246, §1, is further amended to read:

A. The base and maximum fees that may be assessed to categories of discharge activities are as follows.

Discharge Group	Base fee not to exceed	Maximum fee for individual in group
Publicly owned treatment facilities, greater than 6,000 gallons per day but less than 5 million gallons per day and no significant industrial waste	annual fee \$175	none
Publicly owned treatment facilities, 6,000 gallons per day or less	annual fee \$60	\$180
Publicly owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste	annual fee \$770	none
Major industrial facility, process wastewater (based on EPA list of major source discharges)	annual fee \$1,850	none
Other industrial facility, process wastewater	annual fee \$630	none
Food handling or packaging wastewater	annual fee \$315	\$2,100
Fish rearing facility	annual fee \$230	\$1,400

2	Noncontact cooling water	annual fee	\$90	\$7,000
4	Industrial or commercial sources, miscellaneous or incidental non-process wastewater	annual fee	\$115	\$2,100
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8				
10	Municipal combined sewer overflow	annual fee	\$115	\$1,400
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14	Sanitary wastewater, excluding overboard discharge	annual fee	\$60	\$1,200
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18	Sanitary overboard discharge, commercial sources	annual fee	\$210	\$1,200
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24	Sanitary overboard discharge, residential sources 600 gallons per day and less	annual fee	\$175	---
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32	Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	\$200	\$600
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42	Sanitary overboard discharge, public sources	annual fee	\$210	\$500
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46				
48	Aquatic pesticide application	annual fee*	\$200	---
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2	Snow dumps	annual fee*	\$125	---
4	Salt and sand storage pile	annual fee*	\$150	---
6	Log storage permit	annual fee*	\$200	---
8	<u>General permit coverage for industrial stormwater discharges (except construction)</u>	<u>annual fee*</u>	<u>\$350</u>	<u>---</u>
10				
12				
14				
16	General permit coverage (other)	annual fee*	\$100	---
18				
20	Experimental discharge license	license fee*	\$500	---
22	Mixing zone, in addition to other applicable fees	flat fee*	\$4,000	---
24				
26	Formation of sanitary district	flat fee*	\$300	---
28				
30	Transfer of license for residential or commercial sanitary wastewater	flat fee*	\$100	---
32				

34 *Discharge or license quantity fees do not apply to these categories.

36
38 When a license authorizes multiple discharge points in different categories in the same license, the total maximum fee for the license may not exceed the maximum fee for the most significant category plus 1/2 of the maximum fee for each of the other applicable categories.

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44 **Sec. 2. 38 MRSA §569-A, sub-§8, ¶A,** as amended by PL 2001, c. 605, §1, is further amended to read:

46 A. Administrative expenses, personal services and equipment costs of the department related to the administration and enforcement of this subchapter and to the monitoring and regulation of air emissions from the distribution and use of oil under chapter 4, except that total disbursements for

2 personal services may not exceed ~~\$2,900,000~~ \$3,700,000 per
fiscal year, multiplied by an annual adjustment factor of 4%
4 beginning in fiscal year 2002-03 2005-06;

6 **SUMMARY**

8 This bill establishes a fee of up to \$350 for a general
10 permit for industrial stormwater discharges issued pursuant to
the waste discharge laws. The general permit fee currently in
12 statute is to be used for other types of general permits under
the waste discharge laws.

14 The bill also authorizes disbursements from the Ground Water
Oil Clean-up Fund to pay costs incurred by the Department of
16 Environmental Protection to monitor and regulate air emissions
from the distribution and use of oil.