

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2035

H.P. 1435

House of Representatives, February 28, 2006

An Act Regarding Storm Water Program Administration

Reported by Representative KOFFMAN of Bar Harbor for the Joint Standing Committee on Natural Resources pursuant to Public Law 2005, chapter 157.

Reference to the Committee on Natural Resources suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2
3 **Sec. 1. 38 MRSA §353-B, sub-§2, ¶A,** as amended by PL 2003, c.
4 246, §1, is further amended to read:

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

10	Discharge Group		Base fee not to exceed	Maximum fee for individual in group
12	Publicly owned	annual fee	\$175	none
14	treatment facilities, greater than 6,000			
16	gallons per day but less than 5 million			
18	gallons per day and no significant			
20	industrial waste			
22	Publicly owned	annual fee	\$60	\$180
24	treatment facilities, 6,000 gallons per day or less			
26	Publicly owned	annual fee	\$770	none
28	treatment facilities, greater than 5 million			
30	gallons per day or with significant			
32	industrial waste			
34	Major industrial	annual fee	\$1,850	none
36	facility, process wastewater (based on EPA list of			
38	major source discharges)			
40	Other industrial	annual fee	\$630	none
42	facility, process wastewater			
44	Food handling or	annual fee	\$315	\$2,100
46	packaging waste- water			
48	Fish rearing	annual fee	\$230	\$1,400
50	facility			

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
6				
8				
10	Municipal combined sewer overflow	annual fee	\$115	\$1,400
12				
14	Sanitary wastewater, excluding overboard discharge	annual fee	\$60	\$1,200
16				
18	Sanitary overboard discharge, commercial sources	annual fee	\$210	\$1,200
20				
22				
24	Sanitary overboard discharge, residential sources 600 gallons per day and less	annual fee	\$175	---
26				
28				
30				
32	Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	\$200	\$600
34				
36				
38				
40				
42	Sanitary overboard discharge, public sources	annual fee	\$210	\$500
44				
46				
48	Aquatic pesticide application	annual fee*	\$200	---
50				

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 storm water discharges (except construction)</u>	<u>annual fee*</u>	<u>\$300</u>	<u>---</u>
10				
12				
14	General permit coverage (<u>other</u>)	annual fee*	\$100	---
16				
18	Experimental discharge license	license fee*	\$500	---
20	Mixing zone, in addition to other applicable fees	flat fee*	\$4,000	---
22				
24	Formation of sanitary district	flat fee*	\$300	---
26				
28	Transfer of license for residential or commercial sanitary wastewater	flat fee*	\$100	---
30				

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

34
36 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.

40 **Sec. 2. 38 MRSA §420-D, sub-§9**, as enacted by PL 1995, c. 704, Pt. B, §2 and affected by PL 1997, c. 603, §§8 and 9, is amended to read:

44
46 **9. Rules.** Rules adopted pursuant to this section are ~~major-substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter II-A 2-A.

48
50 **Sec. 3. General permit for industrial facilities.** By January 1, 2008, the Department of Environmental Protection shall

2 expand coverage of the multisector general permit for industrial
storm water discharges to include publicly owned facilities that
4 have storm water discharge associated with an industrial activity.

6

SUMMARY

8 This bill establishes an annual fee of up to \$300 for a
general permit for industrial storm water discharges issued
10 pursuant to the waste discharge laws. The bill also directs the
Department of Environmental Protection to modify the general
12 permit for industrial storm water discharges to include publicly
owned facilities by January 1, 2008. The bill also amends the
14 rule-making provision in the law regulating storm water
management to provide that rules adopted pursuant to that law are
16 routine technical rules rather than major substantive rules.