

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1531

S.P. 589

In Senate, December 17, 2009

An Act To Update Laws Regulating the Maine Emergency Management Agency

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 17, 2009. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative LAJOIE of Lewiston and
Representative: SYKES of Harrison.

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

2 **Sec. 1. 37-B MRSA §797**, as amended by PL 2009, c. 252, §5, is further amended
3 to read:

4 **§797. Maine chemical inventory report**

5 A person required to submit a facility emergency response plan, material safety data
6 sheet or list of hazardous chemicals and extremely hazardous substances must submit a
7 Maine chemical inventory report to the commission, the local emergency planning
8 committee and the local fire department with jurisdiction over the facility. The inventory
9 report and fee must be submitted by March 1st annually for the previous calendar year;
10 ~~except that the inventory report and fee may be submitted with the registration fee in the~~
11 ~~year of reporting if the reporting facility can project its inventory levels for the current~~
12 ~~year.~~ Information on the inventory of extremely hazardous substances and hazardous
13 chemicals for the previous calendar year is required in the report. This report must state,
14 at a minimum:

- 15 **1. Chemical name.** The chemical name of each substance listed;
- 16 **2. Maximum weight.** The maximum number of pounds of each substance present at
17 any time during the preceding year;
- 18 **3. Average amount.** The average daily amount of each substance present during the
19 preceding year;
- 20 **4. Chemical storage.** A brief description of the manner of the chemical's storage;
- 21 **5. Chemical location.** The chemical's location at the facility;
- 22 **6. Information withholding.** An indication if the person is electing to withhold
23 information from disclosure under section 800;
- 24 **7. Transportation.** A description of the manner in which the substance is shipped to
25 the facility, including standard and alternate transportation routes taken through the State
26 from point of origin or entry to the facility. Records held by the commission regarding
27 standard and alternate transportation routes are confidential records for the purposes of
28 Title 1, chapter 13, subchapter 1. The commission may provide those records to state,
29 county or local emergency management agencies or public officials, as the commission
30 determines necessary, but shall require those agencies or officials to hold those records as
31 confidential; and
- 32 **8. Progress toward toxics use reduction goals.** For those persons required to
33 submit a report under this section for extremely hazardous substances, a report on the
34 progress made by the facility toward meeting the toxics use reduction goals established in
35 Title 38, section 2303.

SUMMARY

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This bill removes the provision permitting a prospective hazardous chemical and substance inventory report and fee based on projected inventory levels to be submitted to the Maine Emergency Management Agency at the time of registration and leaves the requirement that the inventory report and fee for the previous year be submitted annually on March 1st.