

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND SPECIAL SESSION-2020

Legislative Document

No. 2172

H.P. 1555

House of Representatives, July 28, 2020

**An Act To Implement the Recommendations of the Department of
Environmental Protection Regarding the State's Container
Redemption Law**

Reported by Representative TUCKER of Brunswick for the Joint Standing Committee on Environment and Natural Resources pursuant to the Maine Revised Statutes, Title 38, Section 1772, subsection 5.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 38 MRSA §352, sub-§5-A**, as amended by PL 2019, c. 374, §1 and c.
3 526, §2, is further amended by amending Table II to read:

4 TABLE II

5 WASTE MANAGEMENT FEES - ANNUAL LICENSE

6 MAXIMUM FEES IN DOLLARS

7	TITLE 38	PROCESSING FEE	ANNUAL LICENSE
8	SECTION		FEE
9	1278, Asbestos abatement		
10	A. Asbestos abatement contractor	\$0	\$650
11	B. Asbestos abatement worker	0	50
12	C. Asbestos consultant	0	650
13	D. Asbestos analytical laboratory	0	400
14	E. Training provider	0	500
15	F. Other categories of asbestos	0	100
16	professionals except asbestos		
17	abatement workers		
18	G. Notification		
19	1. Project size greater than 100	100	0
20	square feet or 100 linear feet and		
21	less than 500 square feet or 2,500		
22	linear feet		
23	2. Project size 500 square feet or	150	0
24	2,500 linear feet, or greater, and		
25	less than 1,000 square feet or		
26	5,000 linear feet		
27	3. Project size 1,000 square feet	300	0
28	or 5,000 linear feet, or greater		
29	1304, Waste management		
30	A. Septage disposal		
31	1. Landspreading	\$550	\$250
32	2. Storage	50	75
33	B. Residuals compost facility		
34	1. Type I	150	150
35	3. Type II and Type III less than	700	500
36	3,500 cubic yards		

1	5. Type II and Type III 3,500	1,400	850
2	cubic yards or greater		
3	C. Land application of sludges and		
4	residuals		
5	1. Sites with program approval		
6	a. Industrial sludge	150	250
7	b. Municipal sludge	75	200
8	c. Bioash	75	200
9	d. Wood ash	50	125
10	e. Food waste	50	125
11	f. Other residuals	50	125
12	2. Sites without program approval		
13	a. Industrial sludge	300	550
14	b. Municipal sludge	150	250
15	c. Bioash	150	250
16	d. Wood ash	75	200
17	e. Food waste	75	200
18	f. Other	75	200
19	1310-N, Solid waste facility siting		
20	A. Landfill		
21	1. Existing, nonsecure municipal	3,500	1,000
22	solid waste landfills accepting		
23	waste from fewer than 15,000		
24	people		
25	2. Existing, nonsecure municipal	3,500	3,500
26	solid waste landfills accepting		
27	waste from more than 15,000		
28	people		
29	3. New or expanded for secure	5,000	8,500
30	landfill		
31	5. Nonsecure wood waste or	700	750
32	demolition debris landfills, or		
33	both, if less than or equal to 6		
34	acres		
35	B. Incineration facilities		
36	1. New or expanded for the	3,500	5,000
37	acceptance of municipal or special		
38	wastes, or both		
39	2. Municipally owned and	3,500	1,000
40	operated solid waste incinerators		
41	with licensed capacity of 10 tons		
42	per day or less		

1	C. Transfer station and storage	750	175
2	facility		
3	D. Tire storage facility	400	450
4	F. Processing facility other than	700	700
5	municipal solid waste composting		
6	G. Beneficial use activities other than		
7	agronomic utilization		
8	3. Fuel substitution	700	500
9	4. Beneficial use without risk	700	200
10	assessment		
11	5. Beneficial use with risk	1,400	500
12	assessment		
13	H. Permit by rule for ongoing	100	100
14	activities		
15	3109, Redemption centers	0	100

16 **Sec. 2. 38 MRSA §3102, sub-§13, ¶C**, as enacted by PL 2019, c. 526, §4, is
17 amended to read:

18 C. Imports into the United States for sale or offering for sale in the State a beverage
19 that is manufactured outside of the United States by another person without a
20 presence in the United States; ~~or~~

21 **Sec. 3. 38 MRSA §3102, sub-§13, ¶D**, as enacted by PL 2019, c. 526, §4, is
22 amended to read:

23 D. Is an out-of-state wholesaler of liquor that holds a certificate of approval issued
24 pursuant to Title 28-A; or

25 **Sec. 4. 38 MRSA §3102, sub-§13, ¶E** is enacted to read:

26 E. Bottles, cans or otherwise places beverages in beverage containers for sale to
27 distributors or dealers.

28 **Sec. 5. 38 MRSA §3105, sub-§5**, as amended by PL 2019, c. 526, §6, is further
29 amended to read:

30 **5. Label registration.** An initiator of deposit shall register the container label of any
31 beverage offered for sale in the State on which it initiates a deposit. Registration must be
32 on forms or in an electronic format provided by the department and must include the
33 universal product code for each combination of beverage and container manufactured.
34 The initiator of deposit shall renew a label registration annually and whenever that label
35 is revised by altering the universal product code or whenever the container on which it
36 appears is changed in size, composition or glass color. The initiator of deposit shall also
37 include as part of the registration the method of collection for that type of container,
38 identification of a collection agent, identification of all of the parties to a commingling
39 agreement that applies to the container and proof of the collection agreement. ~~The~~

1 department may charge a fee for registration and registration renewals under this
2 subsection.

3 A. An initiator of deposit who submits an initial application or annual renewal
4 application for the registration of a beverage container label under this subsection
5 shall include with the application payment of the following fees.

6 (1) For a beverage container containing wine, the initial application fee is \$1 per
7 label and the annual renewal application fee is \$1 per label.

8 (2) For a beverage container containing a beverage other than wine, the initial
9 application fee is \$4 per label and the annual renewal application fee is \$4 per
10 label.

11 B. If a universal product code or international article number on a registered
12 beverage container label is changed during the registration period, all beverage
13 containers using that label are considered discontinued and an initiator of deposit,
14 prior to selling or offering for sale those beverage containers in the State, shall submit
15 a new registration application under this subsection to register the changed label and
16 pay the required fee under this subsection.

17 **Sec. 6. 38 MRSA §3113, sub-§1**, as amended by PL 2019, c. 526, §10, is further
18 amended to read:

19 **1. Procedures; licensing fees.** The department shall adopt rules establishing the
20 requirements and procedures for issuance of licenses and annual renewals under this
21 section, ~~including a fee structure.~~

22 **Sec. 7. 38 MRSA §3113, sub-§1-A** is enacted to read:

23 **1-A. Fees.** A person that submits an initial application or an annual renewal
24 application under this chapter shall include with the application payment of the following
25 fees.

26 A. For a redemption center, the initial application fee is \$100 and the annual renewal
27 application fee is \$100.

28 B. For an initiator of deposit that is a small brewery or small winery that produces
29 50,000 gallons or less of its product in a calendar year, the initial application fee is
30 \$50 and the annual renewal application fee is \$50.

31 C. For an initiator of deposit that is a bottler of water that sells in a calendar year
32 within the State 250,000 or fewer containers each containing no more than one gallon
33 of its product, the initial application fee is \$50 and the annual renewal application fee
34 is \$50.

35 D. For a small beverage manufacturer that produces 50,000 gallons or less of all
36 beverages at all manufacturing locations of the manufacturer in a calendar year, the
37 initial application fee is \$50 and the annual renewal application fee is \$50.

38 E. For an initiator of deposit not described in paragraph B, C or D, the initial
39 application fee is \$500 and the annual renewal application fee is \$500.

1 Legislature having jurisdiction over environment and natural resources matters detailing
2 the department's findings and recommendations, including any proposed legislation.
3 After reviewing the report, the committee may report out legislation to the First Regular
4 Session of the 130th Legislature.

5 **FISCAL NOTE REQUIRED**

6 **(See attached)**



129th MAINE LEGISLATURE

LD 2172

LR 3294(01)

**An Act To Implement the Recommendations of the Department of Environmental Protection
Regarding the State's Container Redemption Law**

**Fiscal Note for Original Bill
Committee: Environment and Natural Resources
Fiscal Note Required: Yes**

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Environmental Protection as a result of its recommended changes to the State's Container Redemption Law are anticipated to be minor and can be absorbed within existing budgeted resources.