

MAINE STATE LEGISLATURE

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Date: 4/18/23

(Filing No. S-32)

MINORITY

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to S.P. 20, L.D. 28, "An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 38 MRSA §1304, sub-§1-D is enacted to read:

1-D. Rules; beneficial use of solid waste. The board may adopt or amend rules relating to the beneficial use of solid waste. Rules adopted or amended pursuant to this subsection are major substantive rules, as defined in Title 5, chapter 375, subchapter 2-A, except that rules adopting or amending screening levels for beneficial use that are derived using the standard risk protocols of the United States Environmental Protection Agency and that adopt a screening level for a particular chemical for which there is no adopted screening level or that lower an adopted screening level for a particular chemical are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. PL 2011, c. 304, Pt. F, §2 is repealed.'

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

SUMMARY

This amendment, which is the minority report of the committee, replaces the bill and provides that the Board of Environmental Protection may adopt or amend rules relating to the beneficial use of solid waste. Those rules are designated major substantive rules except for rules that adopt or amend screening levels for beneficial use derived using the standard risk protocols of the United States Environmental Protection Agency and that adopt a screening level for a particular chemical for which there is no adopted screening level or that lower an adopted screening level for a particular chemical, which are designated

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "B" to S.P. 20, L.D. 28 (S-32)

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routine technical rules. The amendment also repeals a prior enacted unallocated law that contains a similar rule-making authority.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 28

LR 96(03)

An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-32)
Committee: Environment and Natural Resources
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Board of Environmental Protection within the Department of Environmental Protection as a result of changes to its rulemaking authority regarding the beneficial use of solid waste are anticipated to be minor and can be absorbed within existing budgeted resources.