

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**January 3, 1990 to April 14, 1990**

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E. Evaluate existing programs relating to chemical production and use, hazardous waste generation, industrial hygiene, worker safety, public exposure to toxics and toxics releases and recommend coordination of information and program changes or development; and

F. Submit any recommendations for statutory changes to the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters.

**§2311. Fees**

The commissioner shall deposit all money received in payment of fees under this section in a separate account within the Maine Hazardous Waste Fund to cover expenses incurred by the department in the administration of this chapter.

1. Hazardous waste generators. All owners or operators of facilities that generate hazardous waste other than households and agricultural operations shall register annually with the commissioner. Registration forms and an accompanying fee of \$50 are due to the commissioner by March 1, 1991. Subsequent registration forms and fees are due on March 1st of each year.

2. Toxics user. All toxics users must submit \$25 per facility in addition to fees assessed under Title 37-B, section 801, when submitting reports required under the SARA, Title III, Section 312, for extremely hazardous substances to the State Emergency Response Commission. These funds must be transferred by the State Emergency Response Commission to the Maine Hazardous Waste Fund within 60 days of receipt.

3. Toxics releaser. All toxics releasers must submit \$25 per facility in addition to fees assessed under Title 37-B, section 801, when submitting reports required under the SARA, Title III, Section 313, to the State Emergency Response Commission. These funds must be transferred by the State Emergency Response Commission to the Maine Hazardous Waste Fund within 60 days of receipt.

**§2312. Enforcement; penalties**

1. Toxics users. Toxics users are not subject to penalties pursuant to this chapter, except for the requirement to pay the fee under section 2311, subsection 2.

2. Toxics releasers. Toxics releasers that fail to meet any requirements set forth in this chapter including, but not limited to, achievement of toxics release reduction goals and the preparation and submission of required plan summaries, are subject to enforcement action and penalty fees. Toxics releasers are subject to the general penalties in chapter 2.

3. Hazardous waste generators. Generators that fail to meet any requirements set forth in this chapter including, but not limited to, achievement of hazardous

waste reduction goals and the preparation and submission of required plans, may be subject to enforcement action, civil or criminal penalties and fees assessed in section 1319-I, subsection 2-A.

**Sec. 8. Allocation.** The following funds are allocated from the Maine Hazardous Waste Fund to carry out the purposes of this Act.

1990-91

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Maine Hazardous Waste Fund**

Positions	(4)
Personal Services	\$110,417
All Other	21,821
Capital Expenditures	10,000

Provides funds for an Environmental Specialist IV, an Environmental Specialist III, a Data Control Clerk, a Civil Engineer II and general operating expenses to implement the Toxics Use, Toxics Release and Hazardous Waste Reduction Program.

**DEPARTMENT OF ENVIRONMENTAL  
PROTECTION**

**TOTAL** \$142,238

See title page for effective date.

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**CHAPTER 930**

**H.P. 1838 - L.D. 2509**

**An Act to Extend the Sunset of Special Seasonal  
Liquor Stores**

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

**28-A MRSA §456, sub-§3,** as amended by PL 1989, c. 492 and c. 600, Pt. A, §§17 and 18, is further amended to read:

**3. Sunset.** This section is repealed on ~~September 30, 1990~~ January 15, 1991, before which time the commission shall evaluate the effectiveness of this section and make a written report to the joint standing committee of the Legislature having jurisdiction over legal affairs no later than ~~January 31, 1990~~ December 31, 1990.

See title page for effective date.

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