

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

Part C establishes the Technical and Environmental Assistance Program within the Department of Environmental Protection. The Pollution Prevention Advisory Committee is established, consisting of the members of the former Toxic Reduction Advisory Committee, which is abolished in this amendment. Three new voting members are added to the advisory committee: 2 persons selected by the Governor from elected or appointed municipal officials and the Commissioner of Environmental Protection or the commissioner's designee. The duties of the Pollution Prevention Advisory Committee include the duties of the former Toxic Reduction Advisory Committee. The committee is also charged with advising the commissioner on the functioning of the Technical and Environmental Assistance Program and reviewing the functions and programs administered by the Office of Pollution Prevention.

Part D requires the Maine Land Use Regulation Commission to prepare maps of freshwater wetlands within the jurisdiction of the Maine Land Use Regulation Commission and to report to the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters on those efforts by March 1, 1993. Part D also adds an appropriation section.

LD 1513 **An Act Relating to Best Practicable Treatment Determinations in Air Emission Licensing** PUBLIC 658

SPONSOR(S) GOULD R A LUDWIG THERIAULT ANDERSON	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-907
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SUMMARY

This bill was carried over from the first session of the 115th Legislature. Current law requires an air emissions source undergoing license renewal to provide the Department of Environmental Protection with an analysis of emission control options to enable the department to make a best practicable treatment finding. This bill proposed to define best practical treatment as emissions that are being controlled in a manner consistent with similar sources if additional controls are not necessary to meet emission limits or ambient air quality standards. This bill also would have blocked the use of a fuel with a lower sulfur content than required by statute as a "best practicable treatment" option.

The committee amendment (H-907) strikes the original bill. It repeals the existing statutory air emission licensing language, enacts a reorganization of that language and modifies the requirement for a best practical treatment evaluation. This amendment exempts air emission sources from this evaluation if the existing air pollution control equipment was originally licensed less than 15 years prior to the date of relicensure or if the source is being controlled consistent with other emission sources of similar age and design unless other situations detailed in this amendment trigger a need for analysis.

This amendment also clarifies that the Department of Environmental Protection can require operational and other pollution-mitigating measures on an emission source as a condition of relicensure. The committee amendment also adds a fiscal note to the bill.

LD 1540 **An Act to Improve Coordination of Municipal and State Review of Environmental Permits** ONTP

SPONSOR(S) LUDWIG GOULD R A	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have allowed the Commissioner of Environmental Protection to review municipal