

§1463. Area studies

1. Plan. Prior to initiation of area studies by the Federal Government or any person acting under its authority, the commissioner, in consultation with the State Geologist, shall submit a plan for these studies to the Legislature for approval, including any federal plan for conduct of those studies and a plan for state oversight, review and verification of area studies. The State plan shall include procedures for the establishment of a state review group to monitor and review the conduct of area studies and report their findings to the Governor and the Legislature. This review group shall include representatives of the scientific community, the Legislature and the general public. The review group may be established and may conduct its activities before other elements of the plan are approved. [PL 1985, c. 802, §9 (AMD).]

2. Exploration. No person may explore geological formations within this State for the purpose of investigating whether the site may be suitable for a high-level radioactive waste repository without the permission of the Legislature. The State Geologist shall advise the Legislature whether the proposed activity is consistent with the plan required by subsection 1 and with rules promulgated by the United States Department of Energy, the United States Nuclear Regulatory Commission and the United States Environmental Protection Agency relevant to siting a high-level radioactive waste repository and the United States Nuclear Waste Policy Act of 1982, Public Law 97-425. [PL 1985, c. 802, §9 (AMD).]

3. Public hearings. No plan for area studies may be approved unless it contains provision for public hearings in the State within 12 months after commencement of the studies to receive comments on:

A. The technical feasibility of the proposed waste management technology; [PL 1983, c. 381, §9 (NEW).]

B. The environmental impact of a waste repository in the area of study; [PL 1983, c. 381, §9 (NEW).]

C. The social impact of a waste repository in the area of study; [PL 1983, c. 381, §9 (NEW).]

D. The economic impact of a waste repository in the area of study; [PL 1983, c. 381, §9 (NEW).]

E. Whether the proposed facility will be subject to section 413, waste discharge licenses; section 483, site location of development; section 590, air emission licensing; section 1304, licenses for waste facilities; and any other laws administered by the department or the Maine Land Use Planning Commission that may be applicable; [PL 1985, c. 802, §9 (AMD); PL 2011, c. 682, §38 (REV).]

F. Conformance of the plan with the federal guidelines cited in subsection 2; [PL 1985, c. 802, §9 (AMD).]

G. A reasonable comparative evaluation of the suitability of sites in the study area compared with sites in other areas; and [PL 1985, c. 802, §9 (AMD).]

H. Such other matters as the commissioner deems appropriate. [PL 1985, c. 802, §9 (NEW).]
[PL 1985, c. 802, §9 (AMD); PL 2011, c. 682, §38 (REV).]

4. Approval of plan required. Except for oversight monitoring and public information activities, no agent of the State may participate in area studies unless the Legislature has approved a plan for these studies.

No person may conduct borings or excavations relating to area studies, unless the Legislature has approved a plan for the studies, including those borings or excavations.
[PL 1985, c. 802, §9 (AMD).]

5. Reports. The commissioner shall keep the Governor and the Legislature fully and currently informed about the conduct of any area studies and, within 90 days of completion of those studies, shall review the findings and report them, together with the commissioner's comments to the Governor and the Legislature.

[PL 1985, c. 802, §9 (AMD).]

SECTION HISTORY

PL 1983, c. 381, §9 (NEW). PL 1985, c. 802, §9 (AMD). PL 2011, c. 682, §38 (REV).

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