

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
H.P. 1320 - L.D. 2058

**An Act Regarding Compliance with Environmental Permit and License  
Application Requirements**

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

**Sec. 1. 38 MRSA §344, sub-§1**, as amended by PL 1991, c. 804, Pt. B, §2 and affected by §7, is further amended to read:

**1. Acceptance and notification.** The commissioner shall notify the applicant in writing of the official date on which the application was accepted as complete for processing or the reasons the application was not accepted. If a written notice of acceptance or nonacceptance is not mailed to the applicant within 15 working days of receipt of the application, the application is deemed to be accepted as complete for processing on the 15th working day after receipt by the department. If the application is not accepted, the commissioner shall return the application to the applicant with the reasons for nonacceptance specified in writing. A reason for nonacceptance of an application may include, but is not limited to, submission of the application after the activity requiring a permit or license pursuant to this Title has begun if the applicant knowingly violated a requirement to obtain the permit or license for the activity or the applicant, within the 5 years immediately preceding the submission of the application, violated a requirement to obtain a permit or license pursuant to this Title. Any applicant whose application has not been accepted by the commissioner shall attend a presubmission meeting with the department before resubmitting that application. The commissioner shall notify the board of all applications accepted as complete.

An application is acceptable as complete for processing if the application is properly filled out and information is provided for each of the items included on the form. Acceptance of an application as complete for review does not constitute a determination by the department on the sufficiency of that information and does not preclude the department from requesting additional information during processing.

The commissioner shall require the applicant to provide notice to the public for each application for a permit or license accepted. The commissioner shall solicit comments from the public for each application in a manner prescribed by the board in the rules.

All correspondence notifying an applicant of denial of an application by the board or commissioner must be by certified mail, return receipt requested.