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Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” 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 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 F, §2 is repealed.'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 majority 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 certain rules adopting or amending screening levels for beneficial use, which are designated 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