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## ENVIRONMENT AND NATURAL RESOURCES

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### STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 443, L.D. 704, “An Act to Clarify Performance Standards for Quarries”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 38 MRSA §490-X**, as amended by PL 2007, c. 297, §8 and PL 2011, c. 682, §38, is further amended by enacting at the end a new paragraph to read:

Notwithstanding any provision of this article to the contrary, a person exempt from the requirements of this article that is operating a quarry one acre in size or less; that is operating a quarry that has a total excavated area, including adjacent parcels under a common owner or operator, that is one acre in size or less; or that is operating a quarry and conducting an excavation or grading preliminary to a construction project shall comply with the blasting notification requirements under section 490-Z, subsection 14, paragraph O if the person intends to conduct blasting at that quarry or as part of that excavation or grading.'

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 amends the quarrying law to provide that a person that is operating a quarry or operating a quarry and conducting an excavation or grading preliminary to a construction project and that is otherwise exempt from the requirements of that law that intends to conduct blasting at that quarry or as part of that excavation or grading is required to comply with certain quarrying law notification requirements for blasting.

Those notification requirements provide that, prior to blasting, the owner or operator must develop and implement a plan that provides an opportunity for prior notification of a planned blast for all persons located within 1,000 feet of the blast site. Notification may

COMMITTEE AMENDMENT “ ” to H.P. 443, L.D. 704

1 be by telephone, in writing, by public notice in a newspaper of general circulation in the  
2 area affected or by other means identified in the plan.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**