

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 447 - L.D. 708

**An Act to Allow for Rescission of a Site Location of Development Permit
When a Development Is Decommissioned**

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

Sec. 1. 38 MRSA §489-C, sub-§1, as amended by PL 1995, c. 493, §9, is repealed and the following enacted in its place:

1. Development other than a subdivision. For a development other than a subdivision as defined at the time of permit issuance:

A. The permittee has not constructed or caused to be constructed, or operated or caused to be operated, the development; or

B. The development has been fully decommissioned to the department's satisfaction;

Sec. 2. 38 MRSA §489-C, as corrected by RR 1995, c. 2, §99, is amended by enacting at the end a new paragraph to read:

For the purposes of this section, "fully decommissioned" means all aboveground and belowground components of a development have been physically removed, the site has been restored to preconstruction grade, any previously vegetated areas have been revegetated with native vegetation similar to nearby native vegetation and all waste has been recycled or disposed of at a facility authorized to accept the materials for recycling or disposal.