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DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**TESTIMONY OF
ROB WOOD, DIRECTOR, BUREAU OF LAND RESOURCES
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**SPEAKING IN OPPOSITION TO L.D. 704
AN ACT TO CLARIFY PERFORMANCE STANDARDS FOR QUARRIES**

PRESENTED BY REP. PLUECKER

**BEFORE THE JOINT STANDING COMMITTEE
ON
ENVIRONMENT AND NATURAL RESOURCES**

DATE OF HEARING:

MARCH 3, 2025

Senator Tepler, Representative Doudera, and members of the Committee, my name is Rob Wood and I am the Director of the Bureau of Land Resources at the Department of Environmental Protection. I am speaking in opposition to L.D. 704.

L.D. 704 would increase the scope of activities covered by the performance standards for quarries. The bill would require any quarry that employs blasting to meet the performance standards, regardless of the size of the quarry. The bill would also require any excavation or grading activity that involves blasting to meet the quarry performance standards, even if the activity is not part of a quarry. Blasting is common in a variety of construction projects, from construction of utility lines and roads to driveways and

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building foundations. Under L.D. 704, such activities would become subject to requirements of the performance standards for quarries, even though they are not quarrying activities.

The expanded coverage of the performance standards would result in substantially more construction projects that must submit a notice of intent to comply (NOI) with the performance standards to the Department. The Department would be required to review the newly submitted NOIs and conduct compliance checks on sites to confirm the activities are meeting the performance standards. The Department's Mining Program does not currently have the staff resources necessary to implement this change.

The Department also notes that the Site Location of Development Law requires any blasting that occurs as part of a development licensed under the Site Law to meet the blasting standards applicable to quarry operations (see 38 M.R.S. §484(9)). If the purpose of L.D. 704 is to require all blasting activities to meet the blasting standards applicable to quarry operations (38 M.R.S. §490-Z(14)), many blasting activities at larger construction projects are already subject to these standards because they are subject to the Site Law.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions from the Committee, both now and at the work session.