

STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed  
during the Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine  
Legislature coming from the

**JOINT STANDING COMMITTEE ON NATURAL RESOURCES**

May 2008

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# Joint Standing Committee on Natural Resources

LD 810 An Act To Improve Solid Waste Management

PUBLIC 583

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE	OTP-AM	H-799

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the laws governing the duties and responsibilities for managing solid waste. Under current law, responsibility for managing solid waste is shared by the Department of Environmental Protection and the State Planning Office. This bill would revise those duties and responsibilities in order to eliminate redundancy, as well as to eliminate any inadvertent gaps in oversight.

## Committee Amendment "A" (H-799)

This amendment extends the statutory recycling and source reduction requirements to solid waste processing facilities. The amendment affirms that it is the policy of the State to use the solid waste hierarchy provided in the Maine Revised Statutes, Title 38 as a guiding principle in decision making related to solid waste management and clarifies that the State's policy applies to solid waste generated in the State and solid waste imported into the State. The amendment requires the Executive Department, State Planning Office to include analyses of marketplace consolidation and solid waste landfill fill rates in the annual solid waste generation and disposal capacity report. The amendment directs the Department of Environmental Protection to prepare a report on solid waste odor management. The amendment directs the Department of Environmental Protection and the State Planning Office to develop a system by which solid waste management activities are performed by the agencies. The amendment requires the Department of Environmental Protection to prepare a report detailing a method for setting mandatory recycling standards for all solid waste disposal facilities.

## Enacted Law Summary

Public Law 2007, chapter 583 extends the statutory recycling and source reduction requirements to solid waste processing facilities. It affirms that it is the policy of the State to use the solid waste hierarchy provided in the Maine Revised Statutes, Title 38 as a guiding principle in decision making related to solid waste management and clarifies that the State's policy applies to solid waste generated in the State and solid waste imported into the State. It requires the Executive Department, State Planning Office to include analyses of marketplace consolidation and solid waste landfill fill rates in the annual solid waste generation and disposal capacity report. It directs the Department of Environmental Protection to prepare a report on solid waste odor management. It directs the Department of Environmental Protection and the State Planning Office to develop a system by which solid waste management activities are performed by the agencies. It requires the Department of Environmental Protection to prepare a report detailing a method for setting mandatory recycling standards for all solid waste disposal facilities.

LD 1392 An Act To Update the Dioxin Monitoring Program

PUBLIC 565

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-483

This bill repeals the laws governing the dioxin monitoring program, which sunset on December 31, 2007. The bill changes the laws governing the surface water ambient toxic monitoring program to include the relevant portions of the laws governing the dioxin monitoring program. Certain provisions of the dioxin monitoring program are continued in order to determine the status of fish consumption advisories on Maine rivers, streams and lakes. The bill provides that the Commissioner of Environmental Protection shall notify the owners or operators of selected facilities proposed for dioxin monitoring of each facility's inclusion in the commissioner's

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plan for monitoring pollutants.

## Committee Amendment "A" (S-483)

This amendment caps the total fees that bleach kraft pulp mills subject to the Maine Revised Statutes, Title 38, section 420, subsection 2, paragraph I may be assessed for dioxin monitoring.

### Enacted Law Summary

Public Law 565 changes the laws governing the surface water ambient toxic monitoring program to include relevant provisions of the laws governing the dioxin monitoring program, which laws were sunset in December 2007. Under chapter 565, the total fees that bleach kraft pulp mills subject to the Maine Revised Statutes, Title 38, section 420, subsection 2, paragraph I may be assessed for dioxin monitoring are capped at \$10,000 per fiscal year. Chapter 565 also provides that the Commissioner of Environmental Protection shall notify the owners or operators of selected facilities proposed for dioxin monitoring of each facility's inclusion in the commissioner's monitoring plan.

## LD 1933 An Act To Extend the Deadline for Applications for Loans Associated with the Remediation of a Waste Oil Site in Plymouth

**PUBLIC 479  
EMERGENCY**

Sponsor(s)

MARTIN

Committee Report

OTP

Amendments Adopted

This bill extends from 180 to 365 the number of days provided for those seeking to borrow funds from the Finance Authority of Maine to apply for funding to assist with the remediation of the Plymouth waste oil site.

### Enacted Law Summary

Public Law 2007, chapter 479 extends from 180 to 365 the number of days provided for those seeking to borrow funds from the Finance Authority of Maine to apply for funding to assist with the remediation of the Plymouth waste oil site.

Public Law 2007, chapter 479 was enacted as an emergency measure effective February 14, 2008.

## LD 1945 An Act To Update the Regional Greenhouse Gas Initiative

**PUBLIC 608**

Sponsor(s)

KOFFMAN

Committee Report

OTP-AM

Amendments Adopted

H-768

H-932 FITTS

This bill makes the following changes to the laws governing the regional greenhouse gas initiative.

1. It specifies that the State may not assess any indirect charges on any revenue received from the sale of carbon dioxide allowances.
2. It clarifies that funds from the Energy and Carbon Savings Trust, which under current law may be used by the Department of Environmental Protection for administering the allowance auction, may also be used by the Department of Environmental Protection for participating in the regional organization.
3. It specifies that the Commissioner of Environmental Protection and the members of the Public Utilities Commission may act as representatives for the State in the regional organization and may contract with organizations and entities to carry out the purposes of the regional greenhouse gas initiative.

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4. It amends the definitions of "fossil fuel fired" and "carbon dioxide budget unit" to reflect changes that were incorporated into the regional greenhouse gas initiative model rules.
5. It specifies that the department can initiate air emissions licensing of carbon dioxide budget sources and participate in auctions prior to January 1, 2009.
6. It requires the Department of Environmental Protection to set aside a portion of the State's annual carbon dioxide emissions budget in a voluntary renewable market set-aside account.

### **Committee Amendment "A" (H-768)**

This amendment makes the following changes to the voluntary renewable energy market set-aside provision contained in the bill. It removes the cap on allowances. It replaces the term "citizens" with "persons." It qualifies renewable energy credits as "eligible" renewable energy credits and defines the term.

### **House Amendment "A" (H-932)**

This amendment amends Committee Amendment "A." The amendment sets a 2% cap on the portion of the State's annual carbon dioxide emissions budget that is set aside in a voluntary renewable market set-aside account through January 31, 2010. It also requires the Department of Environmental Protection to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters as to whether that 2% cap is appropriate. The amendment also directs the Energy and Carbon Savings Trust in consultation with the Department of Environmental Protection to determine the cap for portions set aside after January 31, 2010.

### **Enacted Law Summary**

Public Law 2007, chapter 608 makes the following changes to the laws governing the regional greenhouse gas initiative.

1. It specifies that the State may not assess any indirect charges on any revenue received from the sale of carbon dioxide allowances.
2. It clarifies that funds from the Energy and Carbon Savings Trust, which under current law may be used by the Department of Environmental Protection for administering the allowance auction, may also be used by the Department of Environmental Protection for participating in the regional organization.
3. It specifies that the Commissioner of Environmental Protection and the members of the Public Utilities Commission may act as representatives for the State in the regional organization and may contract with organizations and entities to carry out the purposes of the regional greenhouse gas initiative.
4. It amends the definitions of "fossil fuel fired" and "carbon dioxide budget unit" to reflect changes that were incorporated into the regional greenhouse gas initiative model rules.
5. It specifies that the department can initiate air emissions licensing of carbon dioxide budget sources and participate in auctions prior to January 1, 2009.
6. It requires the Department of Environmental Protection to set aside a portion of the State's annual carbon dioxide emissions budget in a voluntary renewable market set-aside account. It sets a 2% cap on the portion of the State's annual carbon dioxide emissions budget that is set aside in a voluntary renewable market set-aside account through January 31, 2010. It also requires the Department of Environmental Protection to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters as to whether that 2% cap is appropriate and it directs the Energy and Carbon Savings Trust in consultation with the Department of Environmental Protection to determine the cap for portions set aside after January 31, 2010.

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### LD 1946 An Act To Address Uncertified Practice of Underground Oil Storage Tank Installation and Inspection

PUBLIC 497

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-692

The bill amends the law governing certification of underground oil storage tank installers and inspectors by the Board of Underground Oil Storage Tank Installers to provide a process to investigate allegations of uncertified practice and take action. The process established in the bill is consistent with the process given to other boards under the jurisdiction of the Department of Professional and Financial Regulation in Title 10, section 8003-C.

#### Committee Amendment "A" (H-692)

This amendment incorporates a fiscal note.

#### Enacted Law Summary

Public Law 2007, chapter 497 amends the law governing certification of underground oil storage tank installers and inspectors by the Board of Underground Oil Storage Tank Installers to provide a process to investigate allegations of uncertified practice and take action. The process established in chapter 497 is consistent with the process given to other boards under the jurisdiction of the Department of Professional and Financial Regulation in Title 10, section 8003-C.

### LD 1947 An Act To Clarify the Waste Motor Oil Disposal Site Remediation Program

PUBLIC 618

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-894

This bill amends the law to clarify the application of the waste motor oil disposal site remediation program.

1. It specifies that the premium is imposed on motor vehicle oil changes on construction equipment and logging equipment that are registered for road use.
2. It specifies that the premium applies to the changing of engine oil, transmission fluid, hydraulic fluid, gearbox oil and differential fluid and does not apply to the changing of brake fluid.
3. It specifies that if a motor vehicle oil change consists of the changing of multiple fluids, the premium is imposed on each type of fluid change.
4. It specifies that a premium is collected on all motor vehicle oil changes regardless of the ultimate disposition or use of the oil.
5. It specifies that an organization that is exempt from sales tax pursuant to the Maine Revised Statutes, Title 36, section 1760 is not exempt from the waste oil remediation premium.

#### Committee Amendment "A" (H-894)

This amendment replaces the bill. It repeals the premium on oil changes and enacts a premium on the first sale or distribution of bulk motor vehicle oil in the State. The premium is set at \$1.10 per gallon on bulk oil used in gasoline engines and 35¢ per gallon for bulk oil used in diesel combustion engines. The amendment changes the end

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date for the premium from no later than December 31, 2028 to no later than December 31, 2030. The amendment clarifies enforcement authority of the State Tax Assessor and clarifies the definition of "response costs." The amendment also requires the Department of Environmental Protection and the Department of Agriculture, Food and Rural Resources to notify the Finance Authority of Maine of successor gasoline or diesel oil standards.

### Enacted Law Summary

Public Law 2007, chapter 618 repeals the premium on oil changes and enacts a premium on the first sale or distribution of bulk motor vehicle oil in the State. The premium is set at \$1.10 per gallon on bulk oil used in gasoline engines and 35¢ per gallon for bulk oil used in diesel combustion engines. Chapter 618 changes the end date for the premium from no later than December 31, 2028 to no later than December 31, 2030. It clarifies enforcement authority of the State Tax Assessor and clarifies the definition of "response costs." It also requires the Department of Environmental Protection and the Department of Agriculture, Food and Rural Resources to notify the Finance Authority of Maine of successor gasoline or diesel oil standards.

### LD 1950 An Act To Repeal the Premium Imposed on Motor Vehicle Oil Changes

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHATZ	ONTP	

This bill repeals the premium imposed on motor vehicle oil changes.

### LD 1952 An Act To Streamline the Administration of Significant Vernal Pool Habitat Protection

PUBLIC 533  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-758

This bill narrows the requirement for notification concerning significant wildlife habitats from those listed in the Maine Revised Statutes, Title 38, section 480-B, subsection 10, paragraph B to those listed in section 480-B, subsection 10, paragraph B, subparagraphs (2) and (3), thereby removing vernal pools from the operation of that notification statute. The bill provides further requirements for the Department of Environmental Protection to incorporate into rules regarding the identification of significant vernal pool habitats. The bill further requires the Department of Inland Fisheries and Wildlife to amend its regulatory definition of "significant vernal pools" consistent with this change where applicable.

The bill requires the Department of Environmental Protection to amend its rules on significant vernal pool habitat in the following three ways:

1. To allow DEP or DIFW to determine that a vernal pool habitat is not significant if the habitat has not previously been determined to be significant and:
  - A. The vernal pool is in southern Maine and dries out after spring filling and before July 15th; or
  - B. The vernal pool is in northern Maine and dries out after spring filling and before July 31st.
2. To require that certain specified rare species be considered when determining whether a vernal pool habitat is significant.

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3. To provide that in order to be identified as part of significant vernal pool habitat, the vernal pool may not have a permanent inlet or outlet. The bill defines "permanent inlet or outlet" to mean a "river, stream or brook" which is a defined term in law.

### Committee Amendment "A" (H-758)

This amendment further narrows the requirement for notification concerning significant wildlife habitats to shorebird nesting, feeding and staging areas. It clarifies that for purposes of identifying a significant vernal pool habitat, the consideration of rare species is limited to the species identified in the bill. It clarifies that in order to be identified as part of a significant vernal pool habitat, the vernal pool may not have a permanently flowing inlet or outlet. It also adds an emergency preamble and an emergency clause.

### Enacted Law Summary

Public Law 2007, chapter 533 narrows the requirement for notification concerning significant wildlife habitats by removing significant vernal pool habitat and high and moderate value waterfowl and wading bird habitat from the operation of that notification requirement.

The bill requires the Department of Environmental Protection to amend its rules on significant vernal pool habitat in the following three ways:

1. To allow DEP or DIFW to determine that a vernal pool habitat is not significant if the habitat has not previously been determined to be significant and:
  - A. The vernal pool is in southern Maine and dries out after spring filling and before July 15th; or
  - B. The vernal pool is in northern Maine and dries out after spring filling and before July 31st.
2. To require that for purposes of determining whether a vernal pool habitat is significant, the rare species that must be considered are limited to: Ribbon Snakes, Wood Turtles, Swamp Darner Dragonflies and Comet Darner Dragonflies.
3. To provide that in order to be identified as part of significant vernal pool habitat, the vernal pool may not have a permanently flowing inlet or outlet.

Public Law 2007, chapter 533 was enacted as an emergency measure effective March 31, 2008.

### LD 1964 Resolve, To Require Rulemaking Concerning Landfill Gas and Odor Management

RESOLVE 170

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-450

This resolve directs the Executive Department, State Planning Office and the Department of Environmental Protection to adopt, after public hearing, major substantive rules establishing buffer zones for landfill construction and expansion that protect the public and nearby property owners from the visual effects, odor and noise of landfills.

### Committee Amendment "A" (S-450)

This amendment replaces the resolve. It requires the Board of Environmental Protection to adopt rules concerning landfill gas and odor management that incorporate quantitative standards that can be used to measure compliance. It also requires the Department of Environmental Protection to report on the status of the rules to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

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## Enacted Law Summary

Resolve 2007, chapter 170 requires the Board of Environmental Protection to adopt rules concerning landfill gas and odor management that incorporate quantitative standards that can be used to measure compliance. It also requires the Department of Environmental Protection to report on the status of the rules to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

### LD 1969 An Act To Raise the Meal Allowance for Members of the Board of Environmental Protection and the Maine Land Use Regulation Commission

PUBLIC 617

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM MAJ OTP-AM MIN	S-489

This bill increases from \$55 to \$100 the per diem fees for members of the Maine Land Use Regulation Commission and the Board of Environmental Protection.

#### Committee Amendment "A" (S-488)

This amendment is the majority report. The amendment retains from the bill the increase in per diem fees for members of the Board of Environmental Protection and the Maine Land Use Regulation Commission. It also specifies that members are entitled to expenses and it authorizes a meal allowance not to exceed the legislative meal allowance. This amendment was not adopted.

#### Committee Amendment "B" (S-489)

This amendment is the minority report. The amendment provides that the per diem fees for members of the Board of Environmental Protection and the Maine Land Use Regulation Commission remain at the legislative per diem rate. The amendment specifies that members are entitled to expenses and it authorizes a meal allowance not to exceed the legislative meal allowance.

## Enacted Law Summary

Public Law 2007, chapter 617 provides that the per diem fees for members of the Board of Environmental Protection and the Maine Land Use Regulation Commission remain at the legislative per diem rate. It specifies that members are entitled to expenses and it authorizes a meal allowance not to exceed the legislative meal allowance.

### LD 1971 An Act Concerning Gasoline Station Vapor Recovery Requirements

PUBLIC 559

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS R	OTP-AM	S-465

This bill sets a date of August 1, 2008 for the repeal of the Maine Revised Statutes, Title 38, section 585-E, which concerns gasoline station vapor recovery requirements.

#### Committee Amendment "A" (S-465)

The amendment exempts from vapor recovery requirements gasoline stations that exceed an annual 1 million gallon gasoline throughput, that require excavation of underground storage tanks in order to repair or replace components of the Stage II vapor recovery system or that are constructed after the effective date of the amendment. The amendment also changes the repeal date of the Stage II vapor recovery system requirement to January 1, 2012. The amendment also repeals sections of law that required a report by February 1, 1996, required the Governor to confer

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with the joint standing committee of the Legislature having jurisdiction over natural resources matters by March 1, 1996 and require the Board of Environmental Protection to adopt rules if the United States Environmental Protection Agency disapproves the State's 15% reduction plan and the department to confer with the joint standing committee of the Legislature having jurisdiction over natural resources matters before it proposes revision of a Stage II vapor recovery system rule.

### **Enacted Law Summary**

Public Law 2007, chapter 559 exempts from vapor recovery requirements gasoline stations that exceed an annual 1 million gallon gasoline throughput, that require excavation of underground storage tanks in order to repair or replace components of the Stage II vapor recovery system or that are constructed after the effective date of the public law. It also changes the repeal date of the Stage II vapor recovery system requirement to January 1, 2012. Chapter 559 also repeals sections of law that required a report by February 1, 1996, required the Governor to confer with the joint standing committee of the Legislature having jurisdiction over natural resources matters by March 1, 1996 and require the Board of Environmental Protection to adopt rules if the United States Environmental Protection Agency disapproves the State's 15% reduction plan and the department to confer with the joint standing committee of the Legislature having jurisdiction over natural resources matters before it proposes revision of a Stage II vapor recovery system rule.

### **LD 1983 An Act To Protect Public Safety, Provide for the Prudent Use of Landfill Capacity and Save Taxpayers Money**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	ONTP	

This bill provides that a person may not deliver waste of any kind in a vehicle with a gross vehicle weight of more than 50,000 pounds to a solid waste disposal facility, solid waste facility, solid waste landfill or waste facility if that facility or landfill is owned by the State and has been expanded or built out on or after the effective date of this legislation. It also provides that the operator of a solid waste disposal facility, solid waste facility, solid waste landfill or waste facility that has been expanded or built out on or after the effective date of this legislation and is owned by the State may not accept for delivery at that facility or landfill waste of any kind that has been hauled in a vehicle with a gross vehicle weight of more than 50,000 pounds. The bill requires the Executive Department, State Planning Office and the Department of Environmental Protection to determine the solid waste disposal capacity needs of the State as of January 1, 2008 for 3, 5 and 10 years and report their findings to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than November 5, 2008. Based on the capacity needs as of January 1, 2008, using the data from the report issued pursuant to this legislation the State Planning Office and the Department of Environmental Protection shall determine the capacity of state-owned landfills. The State Planning Office and the Department of Environmental Protection shall determine the State Planning Office's and the Department of Environmental Protection's ability to control the different and various waste streams flowing into state-owned landfills, broken down by waste stream and by the sources of these waste streams whether in state or out of state. The Department of Environmental Protection shall determine how best to control the flow of waste coming into the State in order to ensure the longevity of state-owned landfills and save taxpayers money. The Department of Environmental Protection shall adopt major substantive rules to extend the life of state-owned landfills.

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**LD 2009    Resolve, Regarding Legislative Review of Portions of Chapter 150: Control of Emissions from Outdoor Wood Boilers, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Air Quality Control**

**RESOLVE 190  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-797

This resolve provides for legislative review of portions of Chapter 150: Control of Emissions from Outdoor Wood Boilers, a major substantive rule of the Department of Environmental Protection, Bureau of Air Quality Control.

**Committee Amendment "A" (H-797)**

This amendment clarifies that in order to be eligible for the sell-through exemption contained in the rule the outdoor wood boiler must have been purchased, paid for in full and in the State prior to April 1, 2008. It authorizes the optional use of setbacks from neighboring dwellings for the installation of new outdoor wood boilers and requires that setbacks next to state licensed school, daycare or healthcare facilities conform to the general setback requirements. It also requires the Department of Environmental Protection to submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report on the implementation of the rule. Finally, it directs the Board of Environmental Protection to adopt rules to control the sale, installation, use and siting of outdoor wood boilers that combust biomass pellets as a fuel source.

**Enacted Law Summary**

Resolve 2007, chapter 190 authorizes final adoption of portions of Chapter 150: Control of Emissions from Outdoor Wood Boilers, a major substantive rule of the Department of Environmental Protection, Bureau of Air Quality Control if certain changes are made to the rule. Chapter 190 clarifies that in order to be eligible for the sell-through exemption contained in the rule the outdoor wood boiler must have been purchased, paid for in full and in the State prior to April 1, 2008. It also authorizes the optional use of setbacks from neighboring dwellings for the installation of new outdoor wood boilers and requires that setbacks next to state licensed school, daycare or healthcare facilities conform to the general setback requirements.

Chapter 190 requires the Department of Environmental Protection to submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report on the implementation of the rule. It also directs the Board of Environmental Protection to adopt rules to control the sale, installation, use and siting of outdoor wood boilers that combust biomass pellets as a fuel source.

Resolve 2007, chapter 190 was finally passed as an emergency measure effective April 9, 2008.

**LD 2016    An Act To Safeguard Imperiled or Critically Imperiled Natural Communities within Protected Natural Resources**

**ONTP**

Sponsor(s)

Committee Report

Amendments Adopted

PERCY

ONTP

This bill provides protection under the Natural Resource Protection Act for imperiled or critically imperiled natural communities, as identified by the Department of Conservation, that are located within protected natural resources.

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### LD 2017 An Act To Provide for Enforcement of the Office Paper Recycling Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WAGNER	ONTP	

Current law requires an employer of 15 or more people to implement an office paper and corrugated cardboard recycling program. This bill requires the Department of Environmental Protection to adopt major substantive rules regarding enforcement of the recycling program, including civil penalties.

### LD 2018 An Act To Require the Accurate Designation of Floodplain Areas

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to require that the most current topographic and geographic information system data available be used when making municipal maps and changes to those maps, including those used for the designation of floodplain boundaries.

### LD 2046 An Act Concerning Certain Excavations

PUBLIC 616

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD	OTP-AM	H-897

The bill clarifies that new protections to waterfowl wading habitat apply to new excavations and do not apply to gravel pits and quarries authorized by the Department of Environmental Protection prior to June 8, 2006. The bill also amends the performance standards for gravel pits and quarries to clarify that the department may allow excavation if a permit has been obtained under the Natural Resources Protection Act.

#### Committee Amendment "A" (H-897)

This amendment replaces the bill. The amendment clarifies the Natural Resources Protection Act permitting requirements for excavation within high and moderate value inland waterfowl and wading bird habitat. The amendment exempts from the site location of development law accessory uses and facilities within an excavation or quarry operating under the performance standards as long as the performance standards are at least as restrictive as the standards imposed under the site law. The amendment adds a lighting standard to the performance standards for gravel pits and quarries. The amendment directs the Department of Environmental Protection to compile and share information regarding inland waterfowl and wading bird habitat with gravel pits and quarries that were authorized prior to June 8, 2006.

#### Enacted Law Summary

Public Law 2007, chapter 616 clarifies the Natural Resources Protection Act permitting requirements for excavation within high and moderate value inland waterfowl and wading bird habitat. It exempts from the site location of development law accessory uses and facilities within an excavation or quarry operating under the performance standards as long as the performance standards are at least as restrictive as the standards imposed under the site law. It adds a lighting standard to the performance standards for gravel pits and quarries. It directs the Department of Environmental Protection to compile and share information regarding inland waterfowl and wading bird habitat with

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gravel pits and quarries that were authorized prior to June 8, 2006.

## LD 2048 An Act To Protect Children's Health and the Environment from Toxic Chemicals in Toys and Children's Products

PUBLIC 643

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM MAJ OTP-AM MIN	H-898 H-948 PINGREE H-973 TARDY S-622 RAYE S-629 HOBBS S-632 MARTIN S-643 MARTIN

This bill requires manufacturers of children's products that contain chemicals of high concern to disclose information to the Department of Environmental Protection on their chemical use if the department designates the chemical as a priority chemical based on potential exposure of a child or fetus to that chemical. The bill authorizes the department to require replacement of a priority chemical in children's products with a safer alternative whenever it determines that a safer alternative is available for a specified use. The bill exempts use of priority chemicals for industrial or manufacturing purposes, in motor vehicles and components, as fuels or that are generated as combustion by-products. The bill authorizes the department to participate in an interstate clearinghouse to share information and cooperate with other states to promote safer chemicals in consumer products. The bill requires the department to report to the Legislature on implementation plans and related issues.

### Committee Amendment "A" (H-898)

This amendment is the majority report. The amendment adds a declaration of policy. The amendment deletes the requirement to identify 100 priority chemicals of high concern. The amendment adds a provision authorizing the Department of Environmental Protection to include on the list of chemicals of high concern chemicals identified by specified entities. Prior to designating priority chemicals, the Department of Environmental Protection is required to consult with affected industries, independent experts and other interested parties and with the Department of Health and Human Services, Maine Center for Disease Control and Prevention. The amendment replaces a mandatory review and determination of safer alternatives by the Commissioner of Environmental Protection with authority granted to the Board of Environmental Protection to adopt rules restricting the sale of children's products containing priority chemicals if safer alternatives are available. The amendment authorizes the Commissioner of Environmental Protection to designate mercury or a mercury compound as a priority chemical for the purpose of adopting rules to prohibit the sale of a mercury-added product that is not currently regulated under the Maine Revised Statutes, Title 38, section 1661-C or 1667. The amendment repeals the biennial reporting requirement on brominated flame retardants for the purpose of freeing up existing resources to implement this chapter.

### House Amendment "A" (H-948)

This amendment amends Committee Amendment "A" by clarifying the definition of "consumer product" to exclude paper or forest products. It allows additional information on priority chemicals to be provided by the manufacturer and distributor of children's products. It clarifies application of the new law on priority chemicals used in industry. It adds an exemption for watercraft. It also clarifies that the requirements are not exempt for packaging food and beverage products for the use of children under 3 years of age.

### House Amendment "B" (H-973)

Under the provisions of Committee Amendment "A," the Department of Environmental Protection is allowed to assess a fee on a manufacturer or distributor to cover the costs to prepare an independent report regarding safer

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alternatives and to cover the department's reasonable costs in managing information it receives from a manufacturer or distributor. This amendment specifies that the determination of the fee amount must be done through major substantive rulemaking.

### **Senate Amendment "E" (S-622)**

This amendment:

1. Changes the definition of "children's product" to specify that it applies to a product containing a chemical of high concern that will likely result in exposure to that chemical by a child or fetus;
2. Requires the Department of Environmental Protection and the Department of Health and Human Services, Maine Center for Disease Control and Prevention to be in concurrence regarding the identification of chemicals of high concern and the identification of priority chemicals; and
3. Requires the Commissioner of Environmental Protection to convene a stakeholder group prior to designating priority chemicals that includes representatives of nonprofit health organizations, business and environmental groups, consumer product manufacturers, chemical manufacturers, retailers, trade associations and other parties affected by this legislation and to invite independent experts with relevant experience in chemicals to participate. The commissioner is required to seek recommendations from the stakeholder group regarding protocols for designating priority chemicals, rulemaking to implement the requirements of the toxic chemicals in children's products provisions and other issues of concern to the stakeholder group.

### **Senate Amendment "I" (S-629)**

Under Committee Amendment "A," the identification of priority chemicals by the Commissioner of Environmental Protection is exempt from the Maine Administrative Procedure Act. This amendment removes that exemption and requires the identification to be done through routine technical rulemaking.

### **Senate Amendment "K" (S-632)**

This amendment exempts a service provider whose name appears on a telecommunications device from the disclosure requirements of the Maine Revised Statutes, Title 38, section 1695.

### **Senate Amendment "L" (S-643)**

This amendment changes the definition of the term "manufacturer" to specify that this term includes the first domestic distributor of the consumer product as opposed to simply the domestic distributor of the consumer product.

### **Enacted Law Summary**

Public Law 2007, chapter 643 requires the Department of Environmental Protection in concurrence with the Maine Center for Disease Control and Prevention to publish a list of chemicals of high concern. To be included in the list a chemical must have been identified as: a carcinogen, reproductive or developmental toxicant or endocrine disruptor; persistent, bioaccumulative and toxic; or very persistent and very bioaccumulative.

It authorizes the Commissioner of Environmental Protection to designate a chemical of high concern as a priority chemical if the commissioner in concurrence with the Maine CDC makes certain findings that are identified in the law. The commissioner is required to designate at least two priority chemicals by January 1, 2011. Rules adopted to implement the law regarding the designation of priority chemicals are routine technical rules. Chapter 643 also requires the Commissioner of Environmental Protection to convene a stakeholder group prior to designating priority chemicals that includes representatives of nonprofit health organizations, business and environmental groups, consumer product manufacturers, chemical manufacturers, retailers, trade associations and other parties affected by this legislation and to invite independent experts with relevant experience in chemicals to participate. The commissioner is required to seek recommendations from the stakeholder group regarding protocols for designating priority chemicals, rulemaking to implement the requirements of the toxic chemicals in children's products

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provisions and other issues of concern to the stakeholder group.

If a children's product contains a priority chemical, the manufacturer or distributor of that product must notify the department. Supplemental information, including information on alternatives, may be required by the department. Under chapter 643, if the Department of Environmental Protection assesses a fee on a manufacturer or distributor to cover the costs to prepare an independent report regarding safer alternatives or to cover the department's reasonable costs in managing information it receives from a manufacturer or distributor, the determination of the fee must be done through major substantive rulemaking.

The Board of Environmental Protection may adopt major substantive rules prohibiting the manufacture or sale of a children's product containing a priority chemical if it finds that distribution of the product exposes children and vulnerable populations to the priority chemical and safer alternatives to the priority chemical are available at a comparable cost. If the Board of Environmental Protection prohibits the manufacture or sale of a children's product the manufacturer or distributor of the product must file a compliance plan with the commissioner or seek a waiver.

The law does not apply to: used products, chemicals for industrial or manufacturing purposes, motor vehicles or watercraft, chemicals generated solely as combustion by-products, retailers (unless they knowingly sell the children's product after receiving prior notification), products containing mercury that are regulated prior to the effective date of this law, telecommunications service providers and containers or packaging for a food or beverage product unless that product is intentionally marketed or intended for the use of children under 3 years of age. In addition, other items are excluded from the definition of "consumer product" and are therefore not covered by this law.

Chapter 643 authorizes the Department of Environmental Protection to participate in an interstate clearinghouse to promote safer chemicals in consumer products.

### LD 2056 An Act To Conserve Gasoline and Preserve Clean Air

PUBLIC 582

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	OTP-AM	H-765 H-820 HINCK

This bill sets limits on idling of motor vehicles. It provides that a person who owns a location where a diesel-powered commercial motor vehicle loads or unloads may not cause such a vehicle to idle for a period longer than 30 minutes while waiting to load or unload at that location. It provides that an owner or operator of a diesel-powered commercial motor vehicle may not cause or permit such a vehicle to idle for more than 5 minutes in any 60-minute period, subject to certain exemptions, such as while waiting to load or unload a vehicle. It provides that an owner or operator of a gasoline-powered motor vehicle, except a private passenger vehicle, may not cause or permit such a vehicle to idle for more than 5 minutes in any 60-minute period, subject to certain exceptions. It requires a warning to be issued for a first violation and a fine to be adjudged for a subsequent violation.

#### Committee Amendment "A" (H-765)

This amendment expands the application of the idling requirements and exemptions to include all commercial motor vehicles, not only diesel-powered. The amendment also:

1. Amends the general requirement for loading and unloading locations to require that, to the maximum extent practicable, a person who owns a location where a commercial motor vehicle, not subject to an exemption, loads or unloads must minimize delays in loading and unloading operations in order to reduce idling times;
2. Amends the exemption for emergency vehicles;
3. Creates an exemption for a utility vehicle idling during electric utility service restoration operations or when

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needed to protect temperature-sensitive electrical testing equipment;

4. Amends the exemption for idling when the temperature is 32 degrees Fahrenheit or below;
5. Creates an exemption for idling for the purpose of providing heat when the temperature is below 0 degrees Fahrenheit; and
6. Amends the penalty provisions to provide that a violation of the requirements of the law is a traffic infraction under the Maine Revised Statutes, Title 29-A, chapter 23, subchapter 6.

## House Amendment "B" (H-820)

This amendment amends Committee Amendment "A." It clarifies that a commercial motor vehicle that is used in interstate commerce or on a highway in intrastate commerce is subject to the idling requirements. It amends the requirements for a person who owns a location where a commercial motor vehicle loads or unloads. It changes a time limitation for motor vehicles that idle when the temperature is 32 degrees Fahrenheit or below.

## Enacted Law Summary

Public Law 2007, chapter 582 sets limits on idling of motor vehicles. It provides that a person who owns a location where a commercial motor vehicle, that is not subject to an exemption, loads or unloads may not cause a driver of that vehicle to idle for a period longer than 30 minutes by requesting that the vehicle continue running while waiting to load or unload at that location. It also requires such an owner to minimize delays in loading and unloading operations in order to reduce idling times. It provides that an owner or operator of a commercial motor vehicle may not cause or permit such a vehicle to idle for more than 5 minutes in any 60-minute period, subject to certain exemptions. It provides that an owner or operator of a gasoline-powered motor vehicle, except a private passenger vehicle, may not cause or permit such a vehicle to idle for more than 5 minutes in any 60-minute period, subject to certain exceptions. It sets penalties for violations of the idling limitations.

## LD 2072 An Act To Conform the Laws Governing Underground Oil Storage Tanks to the Requirements of the Federal Energy Policy Act

PUBLIC 534

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-743 H-749 EBERLE

The bill:

1. Requires owners and operators of underground oil storage tanks to have the tanks inspected at least once every 3 years by a certified underground oil storage tank inspector or installer who is not the tank owner or operator, an employee of the tank owner or operator or a person having daily on-site responsibility for the tank. This provision does not change the requirement for the tanks to be inspected annually;
2. Requires annual inspection reports to be submitted to the Department of Environmental Protection within 30 days of the inspection date;
3. Gives the Department of Environmental Protection authority to prohibit the delivery of oil to underground oil storage tanks that are not inspected, operated and maintained in compliance with the law; and
4. Directs the Department of Environmental Protection to develop a training program for owners and operators of federally regulated underground oil storage tanks.

## Committee Amendment "A" (H-743)

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This amendment requires a threat of release to be imminent in order for the Commissioner of Environmental Protection to issue an administrative order to cease operation of an underground oil storage tank. It also removes the authority of the Department of Environmental Protection to allow a tank owner or operator to affix a red tag to a tank and instead requires department staff to affix the tag.

### House Amendment "A" (H-749)

This amendment removes language that would require the Commissioner of Environmental Protection to find that the threat of an oil release is imminent before the commissioner can issue an administrative order prohibiting the operation of an oil storage tank that is out of compliance with the operation and maintenance requirements of Maine law. The amendment authorizes the owner or operator of an oil storage tank that is subject to an administrative order prohibiting operation of the tank to dispense any remaining oil in the tank if the commissioner finds that doing so does not pose a threat of release of product or would reduce that threat.

### Enacted Law Summary

Public Law 2007, chapter 534 does the following:

1. It requires owners and operators of underground oil storage tanks to have the tanks inspected at least once every 3 years by a certified underground oil storage tank inspector or installer who is not the tank owner or operator, an employee of the tank owner or operator or a person having daily on-site responsibility for the tank. This provision does not change the requirement for the tanks to be inspected annually;
2. It requires annual inspection reports to be submitted to the Department of Environmental Protection within 30 days of the inspection date;
3. It gives the Department of Environmental Protection authority to prohibit the delivery of oil to underground oil storage tanks that are not inspected, operated and maintained in compliance with the law. It authorizes the owner or operator of an oil storage tank that is subject to an administrative order prohibiting operation of the tank to dispense any remaining oil in the tank if the commissioner finds that doing so does not pose a threat of release of product or would reduce that threat; and
4. It directs the Department of Environmental Protection to develop a training program for owners and operators of federally regulated underground oil storage tanks.

## LD 2073 An Act To Prevent Contamination of Drinking Water Supplies

PUBLIC 569

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE	OTP-AM	H-821

The bill restricts certain types of development near drinking water wells to prevent contamination by oil and hazardous matter. The bill gives municipal code enforcement officers the authority to enforce the restrictions.

### Committee Amendment "A" (H-821)

This amendment strikes the provisions in the bill that call for the new wellhead protection requirements to be administered and enforced primarily at the local level. It amends the definition of "aboveground oil storage tank," adds a definition of the term "aboveground heating oil supply tank" and clarifies the definition of "double-walled tank." It amends the provisions regarding installation requirements for aboveground heating oil supply tanks. It strikes the provision in the bill that requires the registration of aboveground oil storage facilities in wellhead protection zones and over sand and gravel aquifers. It eliminates language authorizing the Commissioner of Environmental Protection to enjoin the operation of a facility installed in violation of the new siting restrictions and replaces it with more comprehensive enforcement language. It requires the Department of Defense, Veterans and

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Emergency Management, Maine Emergency Management Agency, in coordination with the Department of Public Safety, Office of the State Fire Marshal and the Department of Environmental Protection, to review and make recommendations on improving the current framework for registering aboveground oil storage facilities.

### Enacted Law Summary

Public Law 2007, chapter 569 restricts certain types of development near drinking water wells to prevent contamination by oil and hazardous matter. It directs the Board of Environmental Protection to adopt major substantive rules that restrict the siting of certain facilities within significant sand and gravel aquifers mapped by the Department of Conservation, Bureau of Geology and Natural Areas, Maine Geological Survey. It requires the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, in coordination with the Department of Public Safety, Office of the State Fire Marshal and the Department of Environmental Protection, to review and make recommendations on improving the current framework for registering aboveground oil storage facilities.

### LD 2119 An Act To Amend Certain Laws Related to Environmental Protection

PUBLIC 655

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	H-987 KOFFMAN S-482

The bill:

1. Increases the per diem for members of the Maine Land Use Regulation Commission and the Board of Environmental Protection to \$100 per day when in attendance at meetings and hearings;
2. Amends the law that provides for special fees by eliminating the cap and including the costs of any appeals;
3. Repeals a requirement that the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife jointly report by January 1, 1998 and on or before January 1st of every odd-numbered year thereafter to the joint standing committees of the Legislature having jurisdiction over natural resource matters and inland fisheries and wildlife matters on the progress of the mapping of significant wildlife habitats;
4. Amends the oil storage laws to clarify that the term "responsible party" as used in those laws includes the owner or operator of an oil storage tank and any person who causes a discharge from the tank;
5. Amends the law requiring payment of registration fees on oil storage tanks to reduce the frequency of payment;
6. Clarifies the circumstances under which abandoned underground oil storage tanks may be returned to service;
7. Amends the law governing closure of municipal landfills to make it clear that municipalities must inspect, monitor and maintain their closed landfills as necessary to ensure that the landfill caps and other closure measures remain effective;
8. Amends the law requiring the Department of Environmental Protection to pay 90% of municipal landfill remediation costs to incorporate a cross-reference to other provisions of law that reduce the department share to 50% and zero in certain circumstances;
9. Eliminates the requirement that the Department of Environmental Protection report to the Legislature regarding the progress, adequacy of funding and any legislation needed to achieve reduction of tire stockpiles and beneficial reuse of tires;

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10. Changes the interest rate on reimbursements to the Maine Hazardous Waste Fund to 15% to be consistent with other interest provisions administered by the Department of Environmental Protection;
11. Amends the laws governing tire stockpile abatement and uncontrolled hazardous substance sites to make the language regarding recovery of natural resources damages consistent with corresponding language under the oil spill cleanup laws;
12. Amends the law banning the sale of mattresses, mattress pads and residential upholstered furniture that contain the flame retardant decabromodiphenyl ether to make it clear that these products may not be sold in Maine after January 1, 2008 regardless of how the chemical is applied to or incorporated into the product; and
13. Repeals the requirement to report annually on the removal, collection and recycling of mercury switches in motor vehicles and directs the Department of Environmental Protection to recommend repeal of the switch removal and recycling requirements when the commissioner determines that the number of mercury switches available for collection is too small to warrant continuation of the program.

### **Committee Amendment "A" (S-482)**

This amendment makes the following changes to the bill.

1. It removes from the bill proposed increases in the per diem for members of the Board of Environmental Protection and the Maine Land Use Regulation Commission.
2. It amends the special fee provisions and requires the Department of Environmental Protection to submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters.
3. It modifies the requirements for bringing abandoned underground oil storage tanks into service.
4. It allows the Commissioner of Environmental Protection discretion to not collect finance charges if the amounts are small or unlikely to be collected.
5. It clarifies that a determination that a solid waste disposal facility provides a substantial public benefit does not necessarily have to be made before the commissioner may find that acceptance of out-of-state waste at the facility provides a substantial public benefit.
6. It changes language regarding rule-making authority of the Department of Environmental Protection relating to flame retardants to be consistent with other changes in the bill.

### **House Amendment "A" (H-987)**

This amendment removes the provisions of Committee Amendment "A" that increased the maximum special fee to \$250,000 until September 1, 2009.

### **Enacted Law Summary**

Public Law 2007, chapter 655:

1. Amends the law that provides for special fees and requires the Department of Environmental Protection to submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters;
2. Allows the Commissioner of Environmental Protection discretion to not collect finance charges if the amounts are small or unlikely to be collected;
3. Repeals a requirement that the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife jointly report by January 1, 1998 and on or before January 1st of every odd-numbered year

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thereafter to the joint standing committees of the Legislature having jurisdiction over natural resource matters and inland fisheries and wildlife matters on the progress of the mapping of significant wildlife habitats;

4. Amends the oil storage laws to clarify that the term "responsible party" as used in those laws includes the owner or operator of an oil storage tank and any person who causes a discharge from the tank;
5. Amends the law requiring payment of registration fees on oil storage tanks to reduce the frequency of payment;
6. Clarifies the circumstances under which abandoned underground oil storage tanks may be returned to service;
7. Amends the law governing closure of municipal landfills to make it clear that municipalities must inspect, monitor and maintain their closed landfills as necessary to ensure that the landfill caps and other closure measures remain effective;
8. Amends the law requiring the Department of Environmental Protection to pay 90% of municipal landfill remediation costs to incorporate a cross-reference to other provisions of law that reduce the department share to 50% and zero in certain circumstances;
9. Eliminates the requirement that the Department of Environmental Protection report to the Legislature regarding the progress, adequacy of funding and any legislation needed to achieve reduction of tire stockpiles and beneficial reuse of tires;
10. Changes the interest rate on reimbursements to the Maine Hazardous Waste Fund to 15% to be consistent with other interest provisions administered by the Department of Environmental Protection;
11. Amends the laws governing tire stockpile abatement and uncontrolled hazardous substance sites to make the language regarding recovery of natural resources damages consistent with corresponding language under the oil spill cleanup laws;
12. Amends the law banning the sale of mattresses, mattress pads and residential upholstered furniture that contain the flame retardant decabromodiphenyl ether to make it clear that these products may not be sold in Maine after January 1, 2008 regardless of how the chemical is applied to or incorporated into the product;
13. Repeals the requirement to report annually on the removal, collection and recycling of mercury switches in motor vehicles and directs the Department of Environmental Protection to recommend repeal of the switch removal and recycling requirements when the commissioner determines that the number of mercury switches available for collection is too small to warrant continuation of the program; and
14. It clarifies that a determination that a solid waste disposal facility provides a substantial public benefit does not necessarily have to be made before the commissioner may find that acceptance of out-of-state waste at the facility provides a substantial public benefit.

**LD 2126 An Act To Minimize Carbon Dioxide Emissions from New Coal-powered Industrial and Electrical Generating Facilities in the State**

**PUBLIC 584**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD	OTP-AM	H-798

This bill is a concept draft pursuant to Joint Rule 208. The bill seeks to meet Maine's climate goals and to promote development of new clean energy and carbon reduction technologies by requiring that new industrial and electrical

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generating facilities that use coal as a feedstock attain the lowest achievable emissions rate, as defined in the Maine Revised Statutes, Title 38, section 582, subsection 7-E-2, for emissions of greenhouse gases into the atmosphere. The provisions of the bill would apply to new enterprises that generate electricity or other products for commerce; require an air emissions license pursuant to Title 38, section 590 or 591-A; use coal as an energy feedstock; and emit 5,000 or more tons of carbon dioxide per year. The Department of Environmental Protection shall enforce the provisions of this bill through new source review under the federal Clean Air Act, 42 United States Code, Sections 7401 to 7671q (2007). In calculating emissions under this bill, the department shall consider the net emissions from the full life cycle of all fuel feedstocks, except that carbon dioxide that is captured at the facility and that is permanently disposed of in geological formations in compliance with applicable laws and rules may not be counted as emissions from the facility. At a minimum, the department's determination of the lowest achievable emissions rate must require a rate of emissions of greenhouse gases that is no higher than the rate of emissions of greenhouse gases for a facility that uses natural gas as its energy feedstock.

### Committee Amendment "A" (H-798)

This amendment requires the Board of Environmental Protection to establish greenhouse gas emission standards for coal gasification facilities that generate electricity or liquid fuels. Rules to establish the standards are major substantive rules and must be submitted to the Legislature for review by January 5, 2011. Until the effective date of the major substantive rules authorized by the Legislature or until August 1, 2011, whichever is earlier, a moratorium is placed on the authorization of coal gasification facilities. The amendment provides for the discounting of carbon dioxide emissions that are captured and permanently isolated from the atmosphere in compliance with all applicable laws and rules in the calculation of greenhouse gas emissions.

### Enacted Law Summary

Public Law 2007, chapter 584 requires the Board of Environmental Protection to establish greenhouse gas emission standards for coal gasification facilities that generate electricity or liquid fuels. Rules to establish the standards are major substantive rules and must be submitted to the Legislature for review by January 5, 2011. Until the effective date of the major substantive rules authorized by the Legislature or until August 1, 2011, whichever is earlier, a moratorium is placed on the authorization of coal gasification facilities. Chapter 584 provides for the discounting of carbon dioxide emissions that are captured and permanently isolated from the atmosphere in compliance with all applicable laws and rules in the calculation of greenhouse gas emissions.

### LD 2160 An Act To Protect Shellfish Waters and Shellfish Resources from Coastal Pollution

PUBLIC 568

Sponsor(s)

WEBSTER

Committee Report

OTP-AM

Amendments Adopted

H-822

This bill requires a person transferring property containing a subsurface waste water disposal system in a coastal shoreland area to provide the transferee with certification that the system has been inspected within the last 3 years or that it is impossible to perform an inspection prior to the transfer. If the system has been inspected and found to be malfunctioning, the system must be repaired prior to the transfer or the repair must be a condition of sale. If it is impossible to inspect the system prior to the transfer, the system must be inspected and, if malfunctioning, repaired within 1 year after the transfer. The certification must be filed with the municipality and the local plumbing inspector. The bill retains the current notification requirements for property transferred in freshwater shoreland areas.

The bill also creates a process for coordinating resolution of water quality problems related to subsurface waste water disposal systems in shellfish harvesting areas, including notification, inspection and abatement order requirements. It also requires the Department of Health and Human Services in coordination with the Department of Marine Resources and the Department of Environmental Protection to adopt routine technical rules establishing requirements for the certification of individuals to inspect subsurface waste water disposal systems. It also requires

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the Department of Health and Human Services, the Department of Environmental Protection, the Department of Marine Resources and the Executive Department, State Planning Office to jointly develop recommendations on strategies to further abate water quality problems that affect shellfish harvesting and recreational uses of waters and that are the result of malfunctioning subsurface waste water disposal systems or licensed overboard discharge systems.

### Committee Amendment "A" (H-822)

This amendment replaces the provisions in the bill regarding notice and inspection requirements of subsurface waste water disposal systems upon the transfer of property in the coastal shoreland zone. It also clarifies the provisions in the bill that create a process for coordinating response to water quality problems that are related to subsurface waste water disposal systems in shellfish growing areas. It also gives to the Department of Health and Human Services in coordination with the Department of Marine Resources and the Department of Environmental Protection discretion regarding the adoption of rules establishing certification requirements for subsurface waste water disposal system inspectors. It also adds a mandate preamble.

### Enacted Law Summary

Public Law 2007, chapter 568 establishes new notice requirements and inspection requirements for subsurface waste water disposal systems upon the transfer of property in the coastal shoreland zone. It creates a process for coordinating response to water quality problems related to subsurface waste water disposal systems in shellfish harvesting areas, including notification, inspection and abatement order requirements. It authorizes the Department of Health and Human Services in coordination with the Department of Marine Resources and the Department of Environmental Protection to adopt routine technical rules establishing requirements for the certification of individuals to inspect subsurface waste water disposal systems. It requires the Department of Health and Human Services, the Department of Environmental Protection, the Department of Marine Resources and the Executive Department, State Planning Office to jointly develop recommendations on strategies to further abate water quality problems that affect shellfish harvesting and recreational uses of waters and that are the result of malfunctioning subsurface waste water disposal systems or licensed overboard discharge systems.

**LD 2164    Resolve, Regarding Legislative Review of Portions of Chapter 157: CO2 Budget Trading Program Waiver and Suspension, a Major Substantive Rule of the Department of Environmental Protection**

**RESOLVE 175  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 157: CO2 Budget Trading Program Waiver and Suspension, a major substantive rule of the Department of Environmental Protection.

### Enacted Law Summary

Resolve 2007, chapter 175 authorizes final adoption of portions of Chapter 157: CO2 Budget Trading Program Waiver and Suspension, a major substantive rule of the Department of Environmental Protection.

Resolve 2007, chapter 175 was enacted as an emergency measure effective March 31, 2008.

# Joint Standing Committee on Natural Resources

## LD 2169 An Act To Authorize a General Fund Bond Issue for Drinking Water Management and Wastewater Management

PUBLIC 673

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-449 S-666 ROTUNDO

Part A of this bill requires disturbed areas created after January 1, 2008 that are associated with utility substations to meet only the basic standards for storm water management under the rules of the Department of Environmental Protection. The funds provided by the bond issue in Part B, in the amount of \$1,700,000, will be used to support drinking water programs and to support the construction of wastewater treatment facilities and will leverage \$8,500,000 in other funds.

### Committee Amendment "A" (S-449)

This amendment removes Part A of the bill, which proposed to amend the laws pertaining to storm water management. The amendment also increases the bond issue for the drinking water revolving loan fund to \$1,700,000 and it increases the bond issue for the clean water treatment facility revolving loan fund to \$1,700,000. It also increases the match amount relating to each fund from \$4,250,000 to \$8,500,000.

### Senate Amendment "A" (S-666)

This amendment changes the references from clean water to wastewater for the treatment facility state revolving loan fund.

### Enacted Law Summary

Public Law 2007, chapter 673 authorizes, upon ratification of the voters, the issuance of bonds for the drinking water revolving loan fund and the wastewater treatment facility state revolving loan fund.

## LD 2207 An Act To Diminish Global Warming

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	ONTP	

This bill prohibits, beginning January 1, 2010, the sale and distribution in the State of incandescent lamps. The bill also establishes a system of deposit and redemption for used compact fluorescent lamps, referred to as returnable light bulbs, and creates the Returnable Light Bulb Fund, a dedicated fund for use in the payment of deposits and redemptions and for holding funds not required for either purpose.

## LD 2210 An Act To Promote the Use of Safer Chemicals in Consumer Products

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN DOW	ONTP	

This bill requires a manufacturer or a distributor of a product that contains a toxic, carcinogenic or very bioaccumulative chemical to disclose information on its chemical use if the Board of Environmental Protection designates the chemical as a priority chemical. Upon review of the information, the board then may adopt rules banning the sale of a product that contains the chemical.

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LD 2216 An Act To Streamline and Ensure Adequate Funding for the Bureau of Air Quality

PUBLIC 589

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-753 S-493 MARTIN

This bill adjusts the annual fee surcharge to licensed air emission sources. The additional revenue raised when applying this new surcharge to the most current toxicity information available, as determined by the Department of Health and Human Services, Maine Center for Disease Control and Prevention, and the most current emissions inventory, as determined by the Department of Environmental Protection, will be used to sustain funding for the core program of the Department of Environmental Protection, Bureau of Air Quality. The bill also reduces the administrative procedures for billing of annual license fees. Instead of sending out bills for licenses that expire each month, the bureau will send out bills only once each quarter for the licenses that expire during that quarter. The nonpayment period for each license is extended from 30 to 60 days to accommodate this change in billing procedures. Finally, the bill changes the definition of "air quality score" to "toxicity score."

### Committee Amendment "A" (H-753)

This amendment establishes the frequency of stack tests for chlorine or chlorine dioxide as no more than once every 5 years. It also changes the frequency of required particulate matter stack tests from every 2 years to every 5 years. The amendment allows the Department of Environmental Protection to increase the frequency of testing if other information indicates possible air emission compliance issues or if there are more stringent federal requirements.

### Senate Amendment "A" (S-493)

This amendment establishes a minimum revenue threshold for funding state air quality protection and improvement activities from the collection of air emissions license fee surcharge money. If the minimum annual revenue threshold is not met, the commissioner may increase the annual fee surcharge up to \$4 per 1,000 air quality units. It also establishes a reporting requirement on the adequacy of the minimum revenue threshold in terms of its ability to support ongoing air quality protection and improvement activities, including any fee adjustments and the justification for those adjustments. This amendment also requires air quality monitoring in the Town of Bradley for a limited period of time.

### Enacted Law Summary

Public Law 2007, chapter 589 establishes a minimum revenue threshold for funding state air quality protection and improvement activities from the collection of air emissions license fee surcharge money. If the minimum annual revenue threshold is not met, the commissioner may increase the annual fee surcharge up to \$4 per 1,000 air quality units. It also establishes a reporting requirement on the adequacy of the minimum revenue threshold in terms of its ability to support ongoing air quality protection and improvement activities, including any fee adjustments and the justification for those adjustments.

Chapter 589 also makes the following changes.

1. It reduces the administrative procedures for billing of annual license fees. Instead of sending out bills for licenses that expire each month, the bureau will send out bills only once each quarter for the licenses that expire during that quarter. The nonpayment period for each license is extended from 30 to 60 days to accommodate this change in billing procedures.
2. It changes the definition of "air quality score" to "toxicity score."
3. It establishes the frequency of stack tests for chlorine or chlorine dioxide as no more than once every 5 years and

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it changes the frequency of required particulate matter stack tests from every 2 years to every 5 years. It allows the Department of Environmental Protection to increase the frequency of testing if other information indicates possible air emission compliance issues or if there are more stringent federal requirements.

4. It requires air quality monitoring in the Town of Bradley for a limited period of time.

### LD 2223 An Act To Expand the Natural Resources Protection Act Compensation Program

PUBLIC 527

Sponsor(s)

Committee Report

Amendments Adopted

OTP

S-456 MARTIN

This bill expands the section of the Natural Resources Protection Act concerning compensation for unavoidable impacts to freshwater and coastal wetlands to also address compensation for unavoidable impacts to significant vernal pool habitat, high and moderate value waterfowl and wading bird habitat and shorebird nesting, feeding and staging areas.

#### Senate Amendment "A" (S-456)

This amendment incorporates a fiscal note.

#### Enacted Law Summary

Public Law 2007, chapter 527 expands the section of the Natural Resources Protection Act concerning compensation for unavoidable impacts to freshwater and coastal wetlands to also address compensation for unavoidable impacts to significant vernal pool habitat, high and moderate value waterfowl and wading bird habitat and shorebird nesting, feeding and staging areas.

### LD 2227 An Act To Minimize the Potential for Slope Failure in Gravel Pits

PUBLIC 507

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill, submitted by the Joint Standing Committee on Natural Resources pursuant to Public Law 2007, chapter 364, amends the water quality protection and storm water management performance standard for excavations in gravel pits. It requires that measures be taken to prevent storm water from ponding at the base of a reclaimed slope or a working pit that is adjacent to steep slopes and a protected natural resource.

#### Enacted Law Summary

Public Law 2007, chapter 507 amends the water quality protection and storm water management performance standard for excavations in gravel pits. It requires that measures be taken to prevent storm water from ponding at the base of a reclaimed slope or a working pit that is adjacent to steep slopes and a protected natural resource.

### LD 2230 An Act To Amend the Laws Governing Reports Related to Natural Resources

PUBLIC 619

Sponsor(s)

Committee Report

Amendments Adopted

MARTIN

OTP-AM

S-544

## *Joint Standing Committee on Natural Resources*

This bill makes the following changes to the laws governing reports related to natural resources.

1. It provides for biennial reporting by the Land and Water Resources Council. Current law requires an annual report.
2. It eliminates the requirement that the Department of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the Radioactive Waste Fund.
3. It eliminates the requirement that the Department of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on fees for radiation protection services.
4. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters on certain permitting and licensing activities.
5. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on water use reporting. It requires the Department of Environmental Protection to report water use data to the Water Resources Planning Committee.
6. It eliminates the requirement that the Department of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on low-emission vehicle standards.
7. It eliminates the requirement that the Department of Environmental Protection report to the Legislature regarding tire stockpiles.
8. It repeals the laws that establish and govern the Radioactive Waste Advisory Commission Fund, including a requirement that the Commissioner of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters regarding the fund, to reflect the repeal of the laws that established and governed the Advisory Commission on Radioactive Waste and Decommissioning. It also amends a provision that refers to this repealed advisory commission.

### **Committee Amendment "A" (S-544)**

This amendment changes a reporting requirement on the California low-emission vehicle standards from an annual report to a periodic report. It also removes from the bill the repeal of a reporting requirement regarding tire stockpiles because the reporting requirement was repealed in another law.

### **Enacted Law Summary**

Public Law 2007, chapter 619 makes the following changes to the laws governing reports related to natural resources.

1. It provides for biennial reporting by the Land and Water Resources Council. Current law requires an annual report.
2. It eliminates the requirement that the Department of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the Radioactive Waste Fund.
3. It eliminates the requirement that the Department of Health and Human Services report annually to the joint

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standing committee of the Legislature having jurisdiction over natural resources matters on fees for radiation protection services.

4. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters on certain permitting and licensing activities.

5. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on water use reporting. It requires the Department of Environmental Protection to report water use data to the Water Resources Planning Committee.

6. It changes a Department of Environmental Protection reporting requirement on the California low-emission vehicle standards from an annual report to a periodic report.

7. It repeals the laws that establish and govern the Radioactive Waste Advisory Commission Fund, including a requirement that the Commissioner of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters regarding the fund, to reflect the repeal of the laws that established and governed the Advisory Commission on Radioactive Waste and Decommissioning. It also amends a provision that refers to this repealed advisory commission.

### LD 2235 An Act To Sustain Maine's Core Wastewater Licensing Program and Adjust Related Provisions

PUBLIC 558

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN MARTIN	OTP-AM	H-779

This bill moves storm water management law fees from the storm water management law into the Department of Environmental Protection's fee schedule and breaks existing fees into processing and certification or license fees consistent with other fees. It amends wastewater discharge fees. It provides that when a waste discharge licensee continues to discharge following expiration of a license, the license fees must continue to be paid. It repeals the Maine Revised Statutes, Title 38, section 353-B, subsection 6, which established fees that applied during the initial year after the effective date of Title 38, section 353-B.

#### Committee Amendment "A" (H-779)

This amendment incorporates a fiscal note.

#### Enacted Law Summary

Public Law 2007, chapter 558 moves storm water management law fees from the storm water management law into the Department of Environmental Protection's fee schedule and breaks existing fees into processing and certification or license fees consistent with other fees. It amends wastewater discharge fees. It provides that when a waste discharge licensee continues to discharge following expiration of a license, the license fees must continue to be paid. It repeals the Maine Revised Statutes, Title 38, section 353-B, subsection 6, which established fees that applied during the initial year after the effective date of Title 38, section 353-B.

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LD 2249 An Act To Protect Lake Water Quality

PUBLIC 593

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-864

This bill is submitted by the Joint Standing Committee on Natural Resources pursuant to Public Law 2007, chapter 65. It authorizes municipalities to assess annual fees under certain conditions to property owners whose properties are accessed by a private road. It requires excavation contractors working in the shoreland zone to ensure that a person certified in erosion control practices is in charge of erosion control practices at the site. It changes the phosphorous compensation fee. It authorizes the Department of Environmental Protection to allow applicants to meet municipal mitigation requirements in lieu of paying a compensation fee.

### Committee Amendment "A" (H-864)

The amendment removes from the bill the authority for municipalities to assess annual fees under certain conditions to property owners whose properties are accessed by a private road. The amendment clarifies that on-site supervision by an excavation contractor certified in erosion control must be of a sufficient duration to ensure that proper erosion and sedimentation control practices are followed and that the requirement that a contractor certified in erosion control be on site does not apply to activities resulting in less than one cubic yard of earth material being added or displaced. The amendment directs the Department of Environmental Protection to submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report evaluating strategies to diminish the impact of private roads, driveways and boat ramps on lake water quality.

### Enacted Law Summary

Public Law 2007, chapter 593 requires excavation contractors working in the shoreland zone to ensure that a person certified in erosion control practices is in charge of erosion control practices at the site. It changes the phosphorous compensation fee. It authorizes the Department of Environmental Protection to allow applicants to meet municipal mitigation requirements in lieu of paying a compensation fee. It directs the Department of Environmental Protection to submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report evaluating strategies to diminish the impact of private roads, driveways and boat ramps on lake water quality.

LD 2263 An Act Establishing an Outdoor Wood Boiler Fund

PUBLIC 680

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-567

This bill creates the Outdoor Wood Boiler Fund with which outdoor wood boilers determined by the Department of Environmental Protection to constitute a nuisance condition or threat to public health or safety will be purchased by the State and retired or replaced with units that do not create a nuisance condition or threat to public health or safety. The bill also provides the Commissioner of Environmental Protection the authority to shut down any outdoor wood boiler that creates a nuisance condition or threat to public health or safety.

### Committee Amendment "A" (S-567)

This amendment clarifies the emergency powers of the Commissioner of Environmental Protection relating to outdoor wood boilers that create a nuisance condition or a danger to public health or safety. The amendment adds the upgrade of outdoor wood boilers to the authorized uses of the Outdoor Wood Boiler Fund. The amendment also repeals the section of law that establishes the Outdoor Wood Boiler Fund on August 31, 2013. This amendment adds an appropriations and allocations section to the bill.

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### **Enacted Law Summary**

Public Law 2007, chapter 680 creates, until August 31, 2013, the Outdoor Wood Boiler Fund which the Department of Environmental Protection shall use to upgrade, purchase and replace outdoor wood boilers that the department has determined constitute a nuisance condition or threat to public health or safety. The bill also provides the Commissioner of Environmental Protection with emergency powers if the commissioner finds that an outdoor wood boiler creates a nuisance condition or threat to public health or safety.



# Joint Standing Committee on Natural Resources

## SUBJECT INDEX

### *Air Quality - Climate Change*

#### Enacted

LD 1945	An Act To Update the Regional Greenhouse Gas Initiative	PUBLIC 608
LD 2126	An Act To Minimize Carbon Dioxide Emissions from New Coal-powered Industrial and Electrical Generating Facilities in the State	PUBLIC 584
LD 2164	Resolve, Regarding Legislative Review of Portions of Chapter 157: CO2 Budget Trading Program Waiver and Suspension, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 175 EMERGENCY

#### Not Enacted

LD 2207	An Act To Diminish Global Warming	ONTP
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### *Air Quality - Outdoor Wood Boilers*

#### Enacted

LD 2009	Resolve, Regarding Legislative Review of Portions of Chapter 150: Control of Emissions from Outdoor Wood Boilers, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Air Quality Control	RESOLVE 190 EMERGENCY
LD 2263	An Act Establishing an Outdoor Wood Boiler Fund	PUBLIC 680

### *Air Quality - Vehicles*

#### Enacted

LD 1971	An Act Concerning Gasoline Station Vapor Recovery Requirements	PUBLIC 559
LD 2056	An Act To Conserve Gasoline and Preserve Clean Air	PUBLIC 582

### *Board of Environmental Protection*

#### Enacted

LD 1969	An Act To Raise the Meal Allowance for Members of the Board of Environmental Protection and the Maine Land Use Regulation Commission	PUBLIC 617
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*Department of Environmental Protection*

Enacted

LD 2119	An Act To Amend Certain Laws Related to Environmental Protection	PUBLIC 655
LD 2216	An Act To Streamline and Ensure Adequate Funding for the Bureau of Air Quality	PUBLIC 589
LD 2235	An Act To Sustain Maine's Core Wastewater Licensing Program and Adjust Related Provisions	PUBLIC 558

*Excavations*

Enacted

LD 2046	An Act Concerning Certain Excavations	PUBLIC 616
LD 2227	An Act To Minimize the Potential for Slope Failure in Gravel Pits	PUBLIC 507

*Floodplains*

Not Enacted

LD 2018	An Act To Require the Accurate Designation of Floodplain Areas	ONTP
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*Natural Resources Protection Act*

Enacted

LD 1952	An Act To Streamline the Administration of Significant Vernal Pool Habitat Protection	PUBLIC 533 EMERGENCY
LD 2223	An Act To Expand the Natural Resources Protection Act Compensation Program	PUBLIC 527

Not Enacted

LD 2016	An Act To Safeguard Imperiled or Critically Imperiled Natural Communities within Protected Natural Resources	ONTP
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*Oils - Groundwater*

Enacted

LD 1946	An Act To Address Uncertified Practice of Underground Oil Storage Tank Installation and Inspection	PUBLIC 497
LD 2072	An Act To Conform the Laws Governing Underground Oil Storage Tanks to the Requirements of the Federal Energy Policy Act	PUBLIC 534
LD 2073	An Act To Prevent Contamination of Drinking Water Supplies	PUBLIC 569

*Oils - Waste Motor Oil*

Enacted

LD 1933	An Act To Extend the Deadline for Applications for Loans Associated with the Remediation of a Waste Oil Site in Plymouth	PUBLIC 479 EMERGENCY
LD 1947	An Act To Clarify the Waste Motor Oil Disposal Site Remediation Program	PUBLIC 618

Not Enacted

LD 1950	An Act To Repeal the Premium Imposed on Motor Vehicle Oil Changes	ONTP
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*Recycling*

Not Enacted

LD 2017	An Act To Provide for Enforcement of the Office Paper Recycling Program	ONTP
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*Reports*

Enacted

LD 2230	An Act To Amend the Laws Governing Reports Related to Natural Resources	PUBLIC 619
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*Solid Waste*

Enacted

LD 810	An Act To Improve Solid Waste Management	PUBLIC 583
LD 1964	Resolve, To Require Rulemaking Concerning Landfill Gas and Odor Management	RESOLVE 170

Not Enacted

LD 1983	An Act To Protect Public Safety, Provide for the Prudent Use of Landfill Capacity and Save Taxpayers Money	ONTP
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*Toxic chemicals*

Enacted

LD 2048	An Act To Protect Children's Health and the Environment from Toxic Chemicals in Toys and Children's Products	PUBLIC 643
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Not Enacted

LD 2210	An Act To Promote the Use of Safer Chemicals in Consumer Products	ONTP
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*Wastewater*

Enacted

**LD 2160**      **An Act To Protect Shellfish Waters and Shellfish Resources from Coastal Pollution**      **PUBLIC 568**

*Water*

Enacted

**LD 1392**      **An Act To Update the Dioxin Monitoring Program**      **PUBLIC 565**

**LD 2169**      **An Act To Authorize a General Fund Bond Issue for Drinking Water Management and Wastewater Management**      **PUBLIC 673**

**LD 2249**      **An Act To Protect Lake Water Quality**      **PUBLIC 593**

**JOINT STANDING COMMITTEE ON  
NATURAL RESOURCES**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	32	91.4%	5.7%
<i>Bills Carried Over from previous session</i>	<u>2</u>	<u>5.7%</u>	<u>0.4%</u>
Total Bills referred	34	97.1%	6.0%
B. Bills reported out by law or joint order	1	2.9%	0.2%
Total Bills considered by Committee	35	100.0%	6.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	11.4%	0.8%
<i>Ought to Pass as Amended</i>	21	60.0%	4.0%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	<u>8</u>	<u>22.9%</u>	<u>1.5%</u>
Total unanimous reports	33	94.3%	6.2%
B. Divided committee reports			
<i>Two-way reports</i>	2	5.7%	0.4%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	2	5.7%	0.4%
Total committee reports	35	100.0%	6.6%
III. CONFIRMATION HEARINGS	4	N/A	N/A
IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	25	71.4%	4.4%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	3	8.6%	0.5%
<i>Constitutional Resolutions</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	28	80.0%	5.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	100.0%	4.5%
Rules authorized with legislative changes	0	0.0%	0.0%
<i>Rules not authorized by the Legislature</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	1	100.0%	4.5%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<i>Held by the Governor</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	0	0.0%	0.0%

Note: A committee vote on a bill is not included here if the bill was subsequently re-referred to another committee or recommittees and carried over.