

**§490-J. Fees**

The owner or operator of an excavation being operated under this article must pay the regulator: [PL 1995, c. 700, §31 (AMD).]

**1. Initial fee.** A fee of \$250 upon filing a notice of intent to comply under section 484-A or 490-C; [PL 1993, c. 350, §5 (NEW).]

**2. Annual fee.** By March 1st of each year, an annual fee of:

A. Four hundred dollars for an excavation from which 2,500 cubic yards or more of material will be extracted during that year; and [PL 2005, c. 158, §7 (AMD).]

B. One hundred dollars, for all other excavations. To be eligible for the annual fee under this paragraph, the owner or operator must include with the payment of this fee a signed statement certifying that less than 2,500 cubic yards of material will be extracted during that year; [PL 2005, c. 158, §7 (AMD).]

[PL 2005, c. 158, §7 (AMD).]

**3. Variance fee.** A fee of \$250 for each variance requested under section 490-E, except for the following:

A. A fee of \$500 for a variance to excavate below the seasonal high water table; [PL 1995, c. 700, §31 (NEW).]

B. A fee of \$500 for a variance to create an externally drained pit; and [PL 1995, c. 700, §31 (NEW).]

C. A fee of \$125 for a variance to waive the topsoil salvage requirement; and [PL 1995, c. 700, §31 (NEW).]

[PL 1995, c. 700, §31 (AMD).]

**4. Notice of intent to expand.** A fee of \$250 upon filing a notice of intent to expand under section 490-F.

[PL 1993, c. 350, §5 (NEW).]

Notwithstanding any other provision of this section, the total for all fees paid under subsections 1 and 2 for one borrow, clay, topsoil or silt excavation in one calendar year may not exceed \$350. [PL 1995, c. 700, §31 (AMD).]

Payment of the annual fee under subsection 2 is no longer required after reclamation is complete as determined by the department. The department shall inspect the site before making this determination. [PL 1995, c. 700, §31 (NEW).]

All fees received under this article must be deposited in the Maine Environmental Protection Fund consistent with section 353-C. [PL 2003, c. 673, Pt. GG, §2 (NEW).]

**SECTION HISTORY**

PL 1993, c. 350, §5 (NEW). PL 1995, c. 700, §31 (AMD). PL 2003, c. 673, §GG2 (AMD). PL 2005, c. 158, §7 (AMD).

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