

**§490-F. Review before expansion**

Before expanding an excavation beyond an area that exceeds a total of 10 acres of reclaimed and un reclaimed land and before each additional 10-acre expansion, the owner or operator shall notify the regulator of an intent to expand and must request an inspection. In the same manner as prescribed in section 344-B, the department shall publish a timetable for responding to inspection requests and shall inspect the site within that time period to determine the excavation's compliance with this article and other applicable laws administered by the department. The department may defer an inspection for a reasonable period when winter conditions at the site prevent the department from evaluating an expansion request. The department shall notify the owner or operator of a deferral under this section. Excavation activities may continue after the filing of a notice of an intent to expand. The failure of a regulator to conduct a site visit within a published time period is not sufficient basis for a stop-work order under section 490-H, subsection 1. [PL 1995, c. 700, §26 (AMD).]

At the time of filing a notification of intent to expand, the owner or operator shall pay any fee required by section 490-J. [PL 1993, c. 350, §5 (NEW).]

**SECTION HISTORY**

PL 1993, c. 350, §5 (NEW). PL 1995, c. 287, §16 (AMD). PL 1995, c. 700, §26 (AMD).

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