

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Update Laws Regulating the Maine Emergency Management Agency

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

Sec. 1. 37-B MRSA §797, as amended by PL 2009, c. 252, §5, is further amended to read:

§ 797. Maine chemical inventory report

A person required to submit a facility emergency response plan, material safety data sheet or list of hazardous chemicals and extremely hazardous substances must submit a Maine chemical inventory report to the commission, the local emergency planning committee and the local fire department with jurisdiction over the facility. The inventory report and fee must be submitted by March 1st annually for the previous calendar year, ~~except that the inventory report and fee may be submitted with the registration fee in the year of reporting if the reporting facility can project its inventory levels for the current year.~~ Information on the inventory of extremely hazardous substances and hazardous chemicals for the previous calendar year is required in the report. This report must state, at a minimum:

- 1. Chemical name.** The chemical name of each substance listed;
- 2. Maximum weight.** The maximum number of pounds of each substance present at any time during the preceding year;
- 3. Average amount.** The average daily amount of each substance present during the preceding year;
- 4. Chemical storage.** A brief description of the manner of the chemical's storage;
- 5. Chemical location.** The chemical's location at the facility;
- 6. Information withholding.** An indication if the person is electing to withhold information from disclosure under section 800;
- 7. Transportation.** A description of the manner in which the substance is shipped to the facility, including standard and alternate transportation routes taken through the State from point of origin or entry to the facility. Records held by the commission regarding standard and alternate transportation routes are confidential records for the purposes of Title 1, chapter 13, subchapter 1. The commission may provide those records to state, county or local emergency management agencies or public officials, as the commission determines necessary, but shall require those agencies or officials to hold those records as confidential; and

8. Progress toward toxics use reduction goals. For those persons required to submit a report under this section for extremely hazardous substances, a report on the progress made by the facility toward meeting the toxics use reduction goals established in Title 38, section 2303.

SUMMARY

This bill removes the provision permitting a prospective hazardous chemical and substance inventory report and fee based on projected inventory levels to be submitted to the Maine Emergency Management Agency at the time of registration and leaves the requirement that the inventory report and fee for the previous year be submitted annually on March 1st.