ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 20, L.D. 28, “An Act to Streamline
Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use
Program”

Amend the bill by striking out everything after the enacting clause and inserting the
following:

'Sec. 1. 38 MRSA §1304, sub-§1-D is enacted to read:

1-D. Rules; beneficial use of solid waste. The board may adopt or amend rules
relating to the beneficial use of solid waste. Rules adopted or amended pursuant to this
subsection are major substantive rules, as defined in Title 5, chapter 375, subchapter 2-A,
except that rules adopting or amending screening levels for beneficial use that are derived
using the standard risk protocols of the United States Environmental Protection Agency are
routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. PL 2011, c. 304, Pt. F, §2 is repealed.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill and
provides that the Board of Environmental Protection may adopt or amend rules relating to
the beneficial use of solid waste. Those rules are designated major substantive rules except
for certain rules adopting or amending screening levels for beneficial use, which are
designated routine technical rules. The amendment also repeals a prior enacted unallocated
law that contains a similar rule-making authority.

FISCAL NOTE REQUIRED

(See attached)