

**§801. Fees**

**1. Fees required.** The operators of any facility that is required to report to the State Emergency Response Commission under the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499, Title III, Sections 311, 312 and 313, are subject to the fees adopted pursuant to subsection 2. All fees collected pursuant to this section shall be deposited in the Emergency Response Commission Fund.

[PL 1989, c. 464, §3 (NEW).]

**2. Fees established.** The director, with the advice of the commission and subject to the Maine Administrative Procedure Act, shall promulgate rules to establish a fee schedule for:

A. Registering facilities, not to exceed \$100 per facility; and [PL 2023, c. 62, §8 (AMD).]

B. Reporting hazardous materials, on a weight basis per chemical. [PL 1989, c. 464, §3 (NEW).]  
[PL 2023, c. 62, §8 (AMD).]

**3. Fee caps.** Facility owners and operators shall be subject to maximum fees of \$5,000 per facility for reporting hazardous materials under this section.

[PL 1989, c. 464, §3 (NEW).]

**4. Fee exemptions.** The following operators are exempt from the following requirements under this section.

A. Retail marketers of petroleum products with a storage capacity of 75,000 pounds or less per product shall be exempt from the reporting fee. [PL 1989, c. 464, §3 (NEW).]

B. Owners and operators of commercial agricultural operations are exempt from the fee requirements under this section for registering agricultural facilities and for hazardous materials used in the commercial production of agricultural products as defined in Title 7, section 152, subsection 2. Agricultural product processing facilities are not exempt from the fee requirements. For the purposes of this section, "processing" does not include the packaging of raw commodities or agricultural products for resale. [PL 2007, c. 649, §9 (AMD).]

C. Public schools are exempt from registration fees and inventory fees imposed pursuant to this section prior to March 1, 1994 for underground storage tanks. This paragraph does not exempt a public school from registration or inventory requirements other than the payment of fees prior to March 1, 1994 for underground storage tanks. [PL 1993, c. 571, §1 (NEW).]

[PL 2007, c. 649, §9 (AMD).]

**SECTION HISTORY**

PL 1989, c. 464, §3 (NEW). PL 1993, c. 571, §1 (AMD). PL 2007, c. 649, §9 (AMD). RR 2015, c. 1, §43 (COR). PL 2023, c. 62, §8 (AMD).

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