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Resolve, Directing the Department of Environmental Protection To Evaluate and Amend Its Rules Regarding Snow Dumps

Sec. 1 Snow dumps rules. Resolved: That the Department of Environmental Protection shall review its rules established pursuant to the Maine Revised Statutes, Title 38, section 413, subsection 2#B regarding snow dumps. In its review, the department shall evaluate:

1. Provisions in the rules that require certain municipalities to obtain a waste discharge license for off#site storage or disposal of snow;
2. The State's obligations under the Federal Water Pollution Control Act and the State's interest in retaining its delegated authority to grant permits under the Federal Water Pollution Control Act;
3. How the rules may be amended to expedite the licensing process for municipalities that cannot be exempted from the waste discharge licensing requirement. The department shall consider establishing a general permit process or a permit by rule process for snow dumps; and
4. Licensing fees for municipalities; and be it further

Sec. 2 Amend rules. Resolved: That, after the review undertaken pursuant to section 1 of this resolve, the Department of Environmental Protection shall amend its rules regarding snow dumps so the rules do not conflict with the Federal Water Pollution Control Act. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2#A.