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ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 522, L.D. 693, Bill, “An Act Concerning Solid Waste Facility Citizen Advisory Committees”

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

Sec. 1. 38 MRSA §1310-N, sub-§12 is enacted to read:

12. Citizen advisory committee notification. Except for applications for minor alterations, the department may not issue a license or an amendment to a license to a solid waste disposal facility owned by the State unless the provisions of this subsection are satisfied.

A. For purposes of this subsection, the following terms have the following meanings.

(1) "Appointing authority" means an entity authorized pursuant to law or resolve to appoint a member to a citizen advisory committee.

(2) "License" means a license, permit, order or approval issued by the department pursuant to this chapter.

(3) "Minor alteration" means an alteration that in the department's judgment does not have a potential to impact the environment or public health or welfare or to create a nuisance.

B. At least 10 days prior to filing an application for a license or an amendment to a license with the department, the owner or operator of a solid waste disposal facility shall send:

(1) To each member of the relevant citizen advisory committee established pursuant to law or resolve, a notice that a copy of the license or amendment application has been sent to each appointing authority in accordance with subparagraph (2). The notice must be sent by United States Postal Service, certified mail, return receipt requested; and

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1 (2) To each municipality and any other appointing authority, a copy of the
2 license or amendment application. The copy must be sent by United States Postal
3 Service, certified mail, return receipt requested or by a commercial mail delivery
4 service with a comparable proof of delivery.

5 C. When filing a license or amendment application, the owner or operator of a solid
6 waste disposal facility shall submit to the department a copy of the certified mail
7 receipts or comparable proof of delivery received under paragraph B.

8 The department may not issue a license or an amendment to a license prior to 30 days
9 after the latest date of mailing of an application or notice sent in accordance with
10 paragraph B.'

11 **SUMMARY**

12 This amendment is the majority report of the committee. The amendment prohibits
13 the Department of Environmental Protection from issuing a license, permit, order or
14 approval, or an amendment to a license, permit, order or approval for alterations that are
15 not minor alterations, to a state-owned solid waste disposal facility unless the owner or
16 operator of the facility sends:

17 1. To each municipality and any other entity that appoints members to the relevant
18 citizen advisory committee, a copy of the application; and

19 2. To each member of the citizen advisory committee, a notice that the application
20 has been sent to the appointing authorities as required.