

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

H.P. 1303 - L.D. 1832

**An Act To Ensure Adequate Funding for the Maine Pollutant Discharge
Elimination System and Waste Discharge Licensing Program**

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

Sec. 1. 38 MRSA §353-B, sub-§2, ¶A, as corrected by RR 2011, c. 2, §43, is amended to read:

A. The fees for waste discharge license groups are the 2019 bill amounts increased by a factor of 1.4 as follows.

Discharge group	Basis for annual fee	Median fee for discharge group	Water quality improvement surcharge
Publicly owned treatment facilities, 10,000 gallons per day or less	annual fee 2011 <u>2019</u> bill amount	\$306 <u>\$543</u>	
Publicly owned treatment facilities, more than 10,000 gallons per day to 0.1 million gallons per day	annual fee 2011 <u>2019</u> bill amount	\$400 <u>\$689</u>	

Publicly owned treatment facilities, more than 0.1 million gallons per day to 1.0 million gallons per day	annual fee	Average of 2009, 2010 and 2011 2019 bill amounts amount	\$617 <u>\$1,063</u>
Publicly owned treatment facilities, more than 1.0 million gallons per day to 5.0 million gallons per day	annual fee	Average of 2009, 2010 and 2011 2019 bill amounts amount	\$1,300 <u>\$2,241</u>
Publicly owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste	annual fee	Average of 2009, 2010 and 2011 2019 bill amounts amount	\$4,553 <u>\$7,850</u>
Major industrial facility, process wastewater (based on EPA list of major source discharges)	annual fee	Average of 2009, 2010 and 2011 2019 bill amounts amount	\$19,672 <u>\$33,919</u>

Other industrial facility, process wastewater	annual fee	2011 <u>2019</u> bill amount	\$1,214 <u>\$2,093</u>
Food handling or packaging wastewater	annual fee	2011 <u>2019</u> bill amount	\$659 <u>\$1,135</u>
Fish-rearing facility 0.1 million gallons per day or less	annual fee	2011 <u>2019</u> bill amount	\$312 <u>\$538</u>
Fish-rearing facility over 0.1 million gallons per day	annual fee	2011 <u>2019</u> bill amount	\$794 <u>\$1,368</u>
Marine aquaculture facility	annual fee	2011 <u>2019</u> bill amount	\$308 <u>\$529</u>
Noncontact cooling water	annual fee	2011 <u>2019</u> bill amount	\$192 <u>\$330</u>
Industrial or commercial sources, miscellaneous or incidental nonprocess wastewater	annual fee	2011 <u>2019</u> bill amount	\$363 <u>\$626</u>
Municipal combined sewer overflow	annual fee	2011 <u>2019</u> bill amount	\$413 <u>\$711</u>

Sanitary wastewater, excluding overboard discharge	annual fee	2011 <u>2019</u> bill amount	\$736 <u>\$1,268</u>	
Sanitary overboard discharge, commercial sources	annual fee	2011 bill amount	\$446	\$75
Sanitary overboard discharge, residential sources 600 gallons per day or less	annual fee	2011 bill amount	\$231	\$75
Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	2011 bill amount	\$313	\$75
Sanitary overboard discharge, public sources	annual fee	2011 bill amount	\$315	\$75
Aquatic pesticide application	annual fee	2011 <u>2019</u> bill amount	\$644 <u>\$1,110</u>	
Snow dumps	annual fee	2011 <u>2019</u> bill amount	\$319 <u>\$550</u>	

Salt and sand storage pile	annual fee	2011 <u>2019</u> bill amount	\$429 <u>\$738</u>
Log storage permit	annual fee	2011 <u>2019</u> bill amount	\$422 <u>\$727</u>
General permit coverage for industrial storm water discharges (except construction)	annual fee	2011 <u>2019</u> bill amount	\$300 <u>\$588</u>
General permit coverage for marine aquaculture facility	annual fee	2011 <u>2019</u> bill amount	\$134 <u>\$230</u>
General permit coverage (other)	annual fee	2011 <u>2019</u> bill amount	\$164 <u>\$283</u>
Experimental discharge license	license fee	2011 <u>2019</u> bill amount	\$899 <u>\$1,550</u>
New or amended mixing zone, in addition to other applicable fees	flat fee	\$5,368 <u>\$9,254</u>	---
Formation of sanitary district	flat fee	\$402 <u>\$693</u>	---

Transfer of flat fee \$100- \$140 ---
 license for residential or commercial sanitary wastewater

On an annual basis, municipalities and publicly owned treatment works whose combined sewer overflows have the potential to affect shellfish harvesting areas as determined by the department by virtue of their locations within estuarine or marine waters of the State must be assessed a surcharge on their wastewater discharge licenses in a total amount of \$12,000. This amount must be allocated among the municipalities and publicly owned treatment works according to their prior 3-year average annual flows as reported to the department.

On an annual basis, publicly owned treatment works whose outfalls licensed for the discharge of treated effluent cause adjacent shellfish growing areas to be closed for the purposes of harvesting shellfish must be assessed a license surcharge in a total amount of \$25,000. This amount must be allocated among the publicly owned treatment works according to the acreage that each licensed outfall closes. This acreage must be determined by the Department of Marine Resources in consultation with the department.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Maine Environmental Protection Fund 0421

Initiative: Allocates funds for expenditures associated with license or permit activities such as application reviews, public hearings and appeals, the actual license or permit processing activities and associated post-license or post-permit compliance activities and enforcement activities as a result of license or permit noncompliance.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$0	\$340,077
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$340,077