



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Silver Spring, Maryland 20910

Ms. Kathleen Leyden
Coastal Program Manager
Maine State Planning Office
State House Station 38
184 State Street
Augusta, ME 04333-0038

FEB 28 2011

Dear Ms. Leyden:

Thank you for the Maine State Planning Office's November 2, 2010 request that changes to the statutes described below be incorporated into the Maine Coastal Management Program (CMP) as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and Office of Ocean and Coastal Resource Management (OCRM) Program Change Guidance (July 1996):

- Maine Wind Energy Act
- Land Use Regulatory Law;
- Marine Resources Law
- Protection and Improvement of Waters Act;
- Natural Resources Protection Act;
- Maine Waterways Development and Conservation Act;
- Site Location of Development Act;
- Oil Discharge Prevention and Pollution Control Law;
- Maine Hazardous Waste, Septage, and Solid Waste and Management Act;
- Underground Oil Storage Facilities and Ground Water Protection Law;
- Protection and Improvement of Air Act;
- Uncontrolled Hazardous Sites Law.

OCRM received the request on November 2, 2010, and OCRM's decision deadline was extended until March 2, 2011.

CHANGES APPROVED

Based on our review of your submission, we concur that the changes to the statutes described above are RPCs and we approve the incorporation of the changes as enforceable policies of the Maine CMP. Federal Consistency will apply to the approved changes only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4). Please include in the public notice the list of changes to enforceable policies provided in this letter, and please send a copy of the notice to OCRM.

See enclosed list of the changes incorporated into the Maine CMP.



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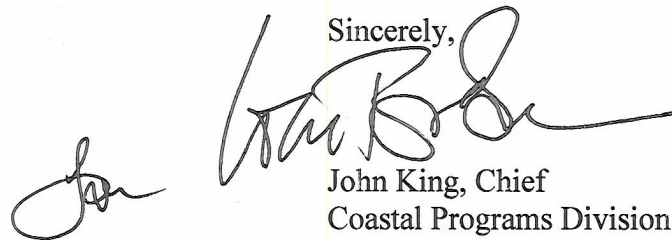


Please note that enforceable policies pertaining to the charging or collection of fees are not applicable to federal agencies or agents of the federal government.

PUBLIC AND FEDERAL AGENCY COMMENTS

OCRM received no comments on this RPC submission.

Thank you for your cooperation in this review. If you have any questions, please contact Liz Mountz at (301) 713-3155, extension 148.

Sincerely,

John King, Chief
Coastal Programs Division

Enclosure: Policies Approved and Incorporated into the Maine Coastal Management Program

Enclosure to OCRM's February 28, 2011 Approval of the Incorporation of Changes to the Maine Coastal Management Program

Changes marked with an asterisk (*) are incorporated into the Maine Coastal Management Program, but do not contain enforceable policies that can be used for Federal Consistency.

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Enforcement Mechanism	Date Adopted by State	Date Effective in State
MODIFIED				
Clarifies that the area of submerged land occupied by a "community-based offshore wind energy project" is included within the unorganized and deorganized territory subject to LURC jurisdiction.	12 MRSA §682, sub-§1	LURC land use permit	4/7/2010	4/7/2010
Provides that LURC's permit processing timelines and procedures for a "community based offshore wind energy Project" are the same as for an expedited wind energy development.	12 MRSA §685, sub-§2-C	LURC land use permit	4/7/2010	4/7/2010
Amends LURC permit approval criteria to clarify that for "community-based offshore wind energy project" application, the commission may not consider the specific human use related criteria utilized by the Bureau of Parks and Lands re: an application for a submerged lands lease.	12 MRSA §685, sub-§4	LURC land use permit	4/7/2010	4/7/2010
Specifies that "community based offshore wind energy projects" must meet LURC wind energy development requirements regarding noise control, shadow flicker, and safety setbacks.	12 MRSA §685, sub-§4-B	LURC land use permit	4/7/2010	4/7/2010
Clarifies that wave power development is subject to DEP's jurisdiction under the MWDCA.	12 MRSA §685, sub-§1-A ¶E	DEP Permit	4/7/2010	4/7/2010
Clarifies that in LURC territory projects under 110kw are subject to general applicable scenic impact requirements (Title 35-A, section 3452) rather than the standard for grid-scale projects in the expedited area.	12 MRSA §685-B, sub-§4 ¶C	LURC land use permit	3/5/10	3/5/10
Specifies that the LURC may apply its fee provisions for an "extraordinary project" to a wind power development.	12 MRSA §685-F, sub-§1	LURC land use permit	7/12/10	7/12/10
Amends law regarding LURC accounting to cover other agencies' costs incurred in reviewing an "extraordinary" project.	12 MRSA §685-F, sub-§3	Related LURC permit	7/12/10	7/12/10
Amends LURC law to specify than an appeal of a LURC decision on an expedited wind energy development goes directly to the state supreme court. *	12 MRSA §689	LURC land use permit, court order	7/12/10	7/12/10

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Corrects a cross-reference regarding the regulatory authority of the DMR commissioner	12 MRSA §6172, sub-§1-B	Technical change	7/12/10	7/12/10
Corrects a cross reference and refines procedures DMR commissioner must use in adopting emergency rules	12 MRSA §6192, sub-§1	Technical change; program authorities-related core law change	7/12/10	7/12/10
Corrects a cross-reference	12 MRSA §12804, sub-§1 ¶D	Technical change	7/12/10	7/12/10
Amends and clarifies definition of "host community" under wind power siting law to include federally recognized tribes and other communities.	12 MRSA §3451, sub-§7	DEP or LURC permit	7/12/10	7/12/10
Amends and clarifies definition of "tangible benefits" under wind power siting law.	35-A MRSA §3451, sub-§10	DEP or LURC permit	7/12/10	7/12/10
Amends and details how DEP and LURC, as applicable, shall determine whether "tangible benefits" have been provided by the expedited wind energy development. Establishes a community benefits package requirements valued at no less than \$4000 per year per turbine, as well as exceptions to this requirement.	35-A MRSA §3454	DEP or LURC permit	7/12/10	7/12/10
Provides that BEP may not assume original jurisdiction over a general permit for a wind or tidal power test project (this applies the same expedited DEP administrative review process to wind and tidal test projects as for expedited wind energy development)	38 MRSA §341-D, sub -§2	DEP permit	4/7/2010	4/7/2010
Provides that BEP's review of a DEP decision on a general permit for a wind or tidal test project is based on the administrative record of the department.	38 MRSA §341-D, sub -§4 ¶D	DEP permit	4/7/2010	4/7/2010
Provides that the DEP may not request the BEP to assume jurisdiction over a general permit for a wind or tidal power test project.	38 MRSA §344, sub -§2-A ¶A	DEP permit	4/7/2010	4/7/2010
Provides that DEP may contract at the applicant's expense for outside review of an application for a general permit for a wind or tidal power test project.	38 MRSA §344-A, first ¶	DEP permit	4/7/2010	4/7/2010
Clarifies appeal process for DEP decision on an expedited wind energy development, and corrects a cross reference.	38 MRSA §346, sub -§1 and sub-§4	DEP permit; court order	7/12/10	7/12/10

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Provides that an appeal of a DEP decision for a general permit for wind power or tidal power test project goes directly to the state supreme court. *	38 MRS §346, sub -§4	DEP permit, court order	4/7/2010	4/7/2010
Clarifies that the fee DEP may charge for review of a large, complex project includes documented costs incurred by specified state agencies.	38 MRS §352, sub -§3	DEP permit	7/12/10	7/12/10
Amends law regarding eligibility for DEP administered grants and loans for replacement of overboard discharge systems serving primary residences.	38 MRS §411-A, sub -§2-A	Related DEP discharge license	7/12/10	7/12/10
Amends requirements regarding the time period within which an alternatives analysis re: replacing overboard discharge systems is required when property ownership is transferred. Applies to licenses issued before 9/1/10.	38 MRS §413, sub -§3	DEP order and discharge license	7/12/10	7/12/10
Clarifies and specifies process for alternatives analysis re: replacement of an overboard discharge system when property ownership is transferred or there is a "significant action" taken on the property.	38 MRS §413, sub -§3-A	DEP Discharge License	7/12/10	7/12/10
Amends requirements for licensing an overboard discharge system in regards to system replacement and availability of funding assistance.	38 MRS §414-A, sub -§1-B	DEP Discharge License	7/12/10	7/12/10
Clarifies the "permit shield" provision of the waste discharge law to replace a reference to "this chapter" with a reference to the relevant sections.	38 MRS §414, sub -§8	DEP permit, order	7/12/10	7/12/10
Clarifies obligation of marinas, including inland marinas, to provide pump-out facilities.	38 MRS §423-B	DEP Discharge License	7/12/10 (sub-§2); 8/11/00 (remainder of chapter)	sub -§2 effective 7/12/10. The rest of the section is effective as 8/11/00.
Adds an additional exception allowing discharges into Class A waters for overboard discharge licensed prior to January 1, 1986, if there is no practicable alternative.	38 MRS §465-B, sub -§1, ¶ C	DEP license or permit	7/12/10	7/12/10
Corrects a cross-reference	38 MRS §480-B, sub -§10, ¶ A	Technical change	7/12/10	7/12/10
Corrects a cross-reference	38 MRS §480-U, sub -§2, ¶ A	Technical change	7/12/10	7/12/10
Corrects a cross-reference	38 MRS §480-D, first paragraph	Technical change	4/7/2010	4/7/2010

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Amends NRPA to make scenic impact standards applicable to expedited wind energy development applicable to an "offshore wind power project" as well; limits DEP's ability to review certain human-use related criteria that is reviewed during the Bureau of Submerged Lands' consideration of a lease application.	38 MRS §480-D, sub -§1	DEP Permit	4/7/2010	4/7/2010
Adds cross reference providing an exception for "community based offshore wind energy project"	38 MRS §480-E-1, first ¶	DEP Permit	4/7/2010	4/7/2010
Clarifies NRPA exemption addressing forest management activities.	38 MRS §480-Q, sub -§2, ¶D	DEP Permit	7/12/10	7/12/10
Technical change	38 MRS §482, sub -§2, ¶D and ¶F	DEP Permit	4/7/2010	4/7/2010
Amends Site Law to make scenic impact standards applicable to expedited wind energy development applicable to an offshore wind power project with an aggregate generating capacity of 3 mw or greater.	38 MRS §484, sub -§3, ¶G	DEP Permit	4/7/2010	4/7/2010
Amends Site Law to authorize DEP to make a finding that stormwater management standards are met for redevelopment projects when certain stormwater management system-related requirements have been fulfilled.* 1	38 MRS §484, sub -§4-A	DEP Permit	3/15/2010	3/15/2010
Amends Site Law to make shadow flicker, safety setback, and tangible public benefits requirements applicable to grid-scale wind energy development applicable to an offshore wind power project with an aggregate generating capacity of 3 mw or greater.	38 MRS §484, sub -§10	DEP Permit	4/7/2010	4/7/2010
Amends Site Law to provide that DEP has jurisdiction over offshore wind energy projects (except for "community-based offshore wind energy" projects) located in LURC territory	38 MRS §488, sub -§9	DEP Permit	4/7/2010	4/7/2010
Amends the law governing oil discharges to clarify that DEP may issue clean-up orders extending to all oil discharges, not just those that emanate from a storage tank.	38 MRS §584, first ¶	DEP Order	3/15/10	3/15/10
Clarifies expenses for which the Maine Coastal and Inland Surface Oil Clean-up Fund may be used	38 MRS §551, sub -§5, ¶E	DEP Order	4/7/2010	4/7/2010

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Clarifies that DEP may include interest on state costs incurred for oil discharge cleanup when placing a lien to recover such costs.	38 MRSA §551, sub -§6-A	DEP Order	7/12/10	7/12/10
Clarifies a landowner's obligations regarding abandonment and removal of out-of service underground oil storage facility when previous owner or operator is dissolved or insolvent.	38 MRSA §566-A, sub -§1	DEP Order	7/12/10	7/12/10
Prohibits the return to service of a single-walled underground oil storage tank that has been out of service for more than 12 consecutive months.	38 MRSA §566-A, sub -§1-A	DEP Order	7/12/10	7/12/10
Clarifies conditional deductible amounts paid by the owner or operator of a leaking oil storage tank when seeking coverage of clean-up costs from the Ground Water Oil Clean-up funds when the certain requirements have not been met.	38 MRSA §568-A, sub -§2, ¶C	DEP Order	7/12/10	7/12/10
Clarifies existing provision on disbursements from the Ground Water Oil Clean-up fund to conform with the scope of DEP authority re: oil spill clean-up from an oil storage facility.	38 MRSA §569-A, sub -§8, ¶B	DEP Order	7/12/10	7/12/10
Clarifies that DEP may include interest on state-incurred costs related to clean-up of an oil discharge from an oil storage facility when placing a lien to recover such costs.	38 MRSA §569-A, sub -§10-A	DEP Order	7/12/10	7/12/10
Amends the Maine Ground Water Clean-up Fund authorization to authorize disbursements for the cleanup of discharges whether or not the oil reaches groundwater.	38 MRSA §569-B, sub -§5, ¶B	DEP Order	7/12/10	7/12/10
Clarifies that stack test results may be averaged as per DEP's guidance to determine compliance with air emission standard for mercury.	38 MRSA §585-B, sub -§5	DEP license	7/12/10	7/12/10
Makes cross-reference related to added section 38 MRSA sec. 585-B(7) containing requirements for air emission sources emitting mercury in excess of 10 pounds (see below)	38 MRSA §585-B, sub -§6	DEP license	7/12/10	7/12/10
Amends existing provision prohibiting use of fuel oil that does not meet low sulfur content standard and establishes additional reductions in the sulfur content of fuel oil that take effect in 2016 and 2018; exempts distillate fuel that is used for manufacturing purposes from the low sulfur content requirements.	38 MRSA §603-A, sub -§2	DEP permit	7/12/10	7/12/10

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Gives DEP exclusive jurisdiction under the MWDCA over wave power projects.	38 MRSA §634-A, sub -§1, ¶B and sub -§2	DEP Permit	4/7/2010	4/7/2010
Clarifies that consistency with LURC zoning is not required for a wave power project (subject to DEP's sole jurisdiction under the MWDCA)	38 MRSA §636, sub -§5	DEP permit	4/7/2010	4/7/2010
Corrects a cross-reference	38 MRSA §636, sub -§7, ¶B	Technical change	7/12/10	7/12/10
Expands the enforcement options available to the Commissioner of Environmental Protection when addressing violations of the lead abatement laws.	38 MRSA §1296	DEP Order	7/12/10	7/12/10
Authorizes information submitted to DEP that is related to priority toxic chemicals listed pursuant to 38 MRSA ch 27 (see below) be designated as confidential.	38 MRSA §1310-B, sub -§2	DEP Order	7/12/10	7/1/12
Corrects a cross-reference and makes related language change.	38 MRSA §361-A, sub -§3-B	Technical change	7/12/10	7/1/12
Allows a landlord to employ a lead dust sampling technician (as opposed to a lead inspector as required under prior law) to show that a dwelling unit qualifies for listing on the registry of leased lead-safe residential dwellings.	38 MRSA §1298, sub -§3	DEP Order	7/12/10	7/12/10
Makes BEP rules regarding agronomic sludge use "routine technical" as opposed to "major substantive." *	38 MRSA §1304, sub -§1-C	Program-authorities related change to core law	7/12/10	7/12/10
Corrects a cross-reference and makes related language change.	38 MRSA §1319-E, sub -§1, ¶G	Technical Change	7/12/10	7/1/12
Authorizes information submitted to DEP that is related to the manufacture, sale or use of the "deca" mixture of polybrominated diphenyl ethers to be designated as confidential.	38 MRSA §1310-B, sub -§2	DEP Order	7/12/10	7/12/10
Amends the law governing wellhead abandonment to make it clear than an abandoned underground oil storage facility located within a wellhead protection zone may not be replaced.	38 MRSA §1393, sub -§2	DEP Order	7/12/10	7/12/10
Requires a manufacturer of shipping pallets containing the "deca" mixture to notify persons that sell the product of the restrictions in this section (added, see below)	38 MRSA §1608, sub -§7	DEP Order	7/12/10	7/12/10

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Further clarifies the scope of prohibition and exemptions regarding restrictions on manufacture and sale of shipping pallets and products made from shipping pallets containing the "deca" mixture of polybrominated diphenyl ethers. (also see added section below)	38 MRS §1608, sub -§11	DEP Order	7/12/10	7/12/10
Amends law authorizing DEP to adopt rules re: prohibitions on certain products made with flame retardants when a safer alternative exists to include shipping pallets.	38 MRS §1608, sub -§13	DEP Order, rule	7/12/10	7/12/10
Corrects cross-references as per pertinent effective dates.	38 MRS §1661-C, sub -§6, ¶F and ¶I	Technical change	7/12/10	7/12/10
Clarifies the prohibition on the sale of mercury-added silver oxide button cell batteries.	38 MRS §1661-C, sub -§9, ¶A	DEP Order	7/12/10	7/12/10

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ADDED				
Defines "community-based offshore wind energy project" for the purposes of offshore wind power siting law.	12 MRS §682, sub -§9	LURC permit	4/7/2010	4/7/2010
Clarifies process for expedited LURC review of wind power projects in the designated expedited area and limits this process to projects of 100 kw or greater installed capacity. Provides that processing period may be stopped for a period of time at the request of the applicant. Also clarifies that expedited review process does not apply to associated facilities if the commission determines that the expedited review time is unreasonable.	12 MRS §685-B, sub -§2-C	LURC permit	3/5/2010	3/5/2010
Clarifies the authorities of the commissioner of DMR by providing that the commissioner has the regulatory authority to close an area to fishing should it be necessary to protect the public safety and welfare; and consolidating existing rule-making authority of the commissioner with regard to gear conflicts, public health, and the protection of public safety	12 MRS §6171-A	Program authorities related core law change	7/12/10	7/12/10
Defines "community benefits agreement" for purposes of requirement regarding provision of tangible community benefits under wind power siting law.	35-A MRS §3451, sub -§1-B	DEP Permit	7/12/10	7/12/10
Defines "community benefits package" for purposes of requirement regarding provision of tangible community benefits under wind power siting law.	35-A MRS §3451, sub -§1-B	DEP Permit	7/12/10	7/12/10
Defines "qualifying band trust land" under wind power siting law.	35-A MRS §3451, sub -§8-A	DEP Permit	7/12/10	7/12/10
Clarifies that appeal of a municipal decision on an expedited wind energy development goes to the state superior court.	35-A MRS §3458	Municipal permitting decision; court order	7/12/10	7/12/10
Replaces repealed provision (see below); clarifies DEP's authority to provide funds for replacement of an overboard discharge system servicing primary residences with an alternative system. Clarifies that the commissioner may provide loans for costs not funded through a grant.	38 MRS §411-A, sub -§1	Related DEP discharge license	7/12/10	7/12/10

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Clarifies the road construction/maintenance for forest management exemption in the stormwater management law; replaces related provision (see below)	38 MRS §420-D, sub -§7, ¶A	Dep permit; order	7/12/10	7/12/10
Defines "offshore wind power project" for purposes of NRPA permitting.	38 MRS §480-B, sub -§6-A	Dep permit	4/7/2010	4/7/2010
Adds section to NRPA that requires an "offshore wind power project" that does not require a Site Law Permit to meet noise, shadow flicker, and safety setback standards. Also clarifies that an applicant for a DEP permit is not required to demonstrate compliance with certain criteria addressed by the submerged lands leasing program.	38 MRS §480-D, sub -§11	Dep permit	4/7/2010	4/7/2010
Replaces and clarifies existing provision requiring DEP to notify municipalities when issuing an NRPA permit and clarifies this requirement as applied to offshore wind power project.	38 MRS §480-E, sub -§1	Dep permit	4/7/2010	4/7/2010
Clarifies that except for "community based offshore wind energy development," DEP shall issue all NRPA permits for offshore wind energy projects.	38 MRS §480-E-1, sub -§3	Dep permit	4/7/2010	4/7/2010
Clarifies Site Law to provide that a Site Law permit is required for an "offshore wind power project" with 3 MW or more generating capacity.	38 MRS §482, sub -§2, ¶J	Dep permit	4/7/2010	4/7/2010
Defines "offshore wind power project" under the Site Law.	38 MRS §482, sub -§8	Dep permit	4/7/2010	4/7/2010
Harmonizes and avoids duplicative review under state permitting and submerged lands leasing laws by exempting a Site Law-scale (3 MW or more) offshore wind energy project from the Site Law's "existing use" standard to the effect pertinent issues are covered by leasing process.	38 MRS §488, sub -§25	Dep permit	4/7/2010	4/7/2010
Requires air emission sources emitting mercury in excess of 10 pounds in calendar year 2010 to conduct stack tests for mercury twice in calendar year 2011 and twice in calendar year 2012 and to submit a mercury reduction plan to DEP; authorizes DEP to approve an alternative to the stack testing requirements.	38 MRS §585-B, sub -§7	Dep permit	7/12/10	7/12/10
Adds policy provision to MWDCA to clarify state support for appropriately sited tidal and wave power development.	38 MRS §631, sub -§3	Dep permit	4/7/2010	4/7/2010

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Defines "responsible party" for purposes of hazardous waste liability law.	38 MRS §1319-C, sub -§3	DEP order	7/12/10	7/12/10
Authorizes DEP to place a lien on property to secure recovery of state costs incurred for clean-up of hazardous waste.	38 MRS §1319-G, sub -§1-A	DEP order	7/12/10	7/12/10
Bans the manufacture, sale and use of products, other than shipping pallets, that are manufactured from recycled shipping pallets containing the "deca" mixture of polybrominated diphenyl ethers. Beginning January 1, 2012 bans the manufacture, sale, and use of shipping pallets containing the "deca" mixture, except for certain exceptions. Also requires manufacturers and owners of shipping pallets that are subject to the restriction to annually certify compliance with the restrictions.	38 MRS §1609, sub -§5-A	DEP order	7/12/10	7/12/10
Provides for an exemption process under which a manufacturer may apply to DEP for a 1-year exemption to the January 1, 2012 ban on shipping pallets containing the "deca" mixture of polybrominated diphenyl ethers (see above).	38 MRS §1609, sub -§5-B	DEP order	7/12/10	7/12/10
Provides the criteria a chemical alternative must meet in order to be used as a replacement for the "deca" mixture of polybrominated diphenyl ethers.	38 MRS §1609, sub -§14	DEP order	7/12/10	7/12/10
Allows a person submitting information to DEP re: "deca" mixture to designate information as confidential pursuant to 38 MRSA sec. 1310-B (see above).	38 MRS §1609, sub -§15	DEP order	7/12/10	7/12/10
Requires wholesaler of thermostats containing mercury to act as a collection site for such thermostats.	38 MRS §1665-B, sub -§2-A	DEP order	7/12/10	7/12/10
Directs DEP to establish by rule a list of priority toxic chemicals by July 1, 2011 and to review and revise the list at least every 3 years; requires commercial and industrial facilities that use in excess of 1,000 pounds of a priority toxic chemical to develop by July 1, 2012 a pollution prevention plan and by July 1, 2013 to begin filing annual usage reports with DEP; requires the department to develop a technical assistance program; and authorizes DEP to develop a recognition program and to exempt facilities from the requirements of the law.	38 MRSA c. 27 (section 2321-2330)	DEP order	4/7/10	Section 2330 (fee provision) is effective 7/1/2012. Other sections effective 4/7/2010

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DELETED

Section repealed and replaced (see above). Provisions related to process for LURC review of wind power projects in the designated expedited area.	12 MRSA §685-B, Sub-§2-C	LURC permit	3/5/2010	3/5/2010
Provisions related to the authority of the commission of the DMR to adopt and amend rules necessary to protect public health and adopt emergency rules. Replaced by new 12 MRSA §6171-A (added above)	12 MRSA §6171-A and §6171-C	Program authorities related core law change	7/12/10	7/12/10
Section repealed and replaced (see above). Provisions relating to DEP's authority to provide grant for replacement of an overboard discharge system service primary residences with an alternative system.	38 MRS §411-A, sub -§1	Related DEP discharge license	7/12/10	7/12/10
Section repealed and replaced (see above). Provisions related to stormwater exemptions for forest management activities.	38 MRS §420-D, sub -§7, ¶A	DEP permit; order	7/12/10	7/12/10
Section repealed and replaced (see above). Provisions requiring DEP to notify municipalities when issuing an NRPA permit. Replacement language clarified this requirement re: notices of an offshore wind power project.	38 MRS §480-E, sub -§1	DEP permit	4/7/2010	4/7/2010
Section repealed and replaced (see above). Provisions relating to exemption for forest management activities in the Natural Resources protection act.	38 MRS §480-Q, sub -§7-A, ¶A	DEP permit	7/12/10	7/12/10
Section repealed and replaced (see following item). Provisions for fees for noncompliance with toxic reduction requirements.	38 MRS §1319-I, sub -§2-A	DEP order	7/12/10	7/12/10

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Changes marked with an asterisk (*) are incorporated into the Maine Coastal Management Program, but do not contain enforceable policies that can be used for Federal Consistency

Chapter repealed and replaced by 38 MRSA Chapter 27 (see above). Chapter includes policy statement re: reducing amount of toxic substances used in the state; the State's goals for reduced of volume of toxics and hazardous waste; requirements for certain types of facilities to develop pollution prevention plans; requirements for progress reports, employee notification, and host municipality notification; authorization for the Commissioner to review a facility's pollution prevention plan; authorization for the Toxics Use, Toxics Release and Hazardous Waste Reduction Program; provisions for fees and penalties; and other related provisions.	38 MRSA ch. 26	DEP Order	7/12/10	7/1/12
Repeals outdated section consolidated in 38 MRSA sec. 1661-C(6) related to restrictions on sale and use of mercury thermometers and manometers.	38 MRS §1661-C, sub -§1 and sub - §2	DEP Order	7/12/10	7/12/10
Repeals outdated section related to mercury thermostats that were consolidated in 38 MRSA sect. 1665-B(2-A).	38 MRS §1664, sub -§2	DEP Order	7/12/10	7/12/10