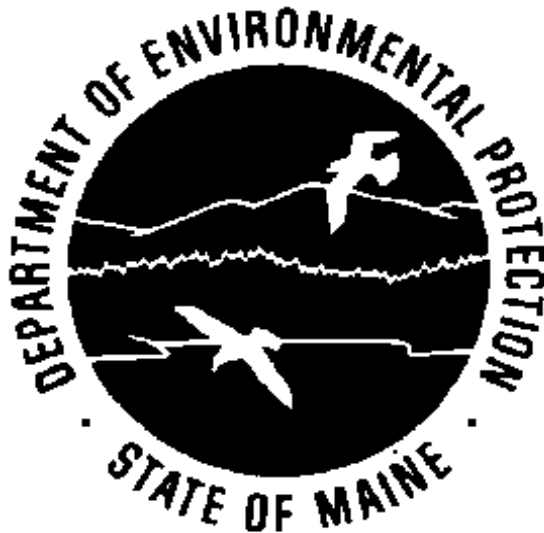


**STATE OF MAINE**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**SITE LOCATION OF DEVELOPMENT**  
**and related provisions of PL 2007, c. 661, Part B**

38 M.R.S.A. §§ 481-490

STATUTE



**SITE LOCATION OF DEVELOPMENT  
(SITE LAW)**

38 M.R.S.A. §§ 481-490

*Note Concerning the Text  
September 12, 2008*

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text include emergency amendments enacted by the First Regular Session of the 124th Legislature but is subject to change without notice. It is a version that is presumed accurate but which has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

\*

*The Department of Environmental Protection (department) has added a table of contents, footnotes, and appendices to this publication. None of this material is part of the Site Laws codified statutory text. . However, some footnotes and the appendices provide the texts of statutory provisions referenced in the Site Law or related to the Site Law. Not all prior amendments to this statute are indicated by the footnotes. Also, the department has included the texts of certain significant unallocated law provisions in the footnotes, and Appendix A. Material in brackets or italics in the unallocated law provisions is not part of the statutory text.*

*This handout includes amendments to the Site Law contained in the following chapters enacted during the Second Regular Session of the 123rd Legislature, which were not included in the previous handout:*

*PL 2007, ch. 616, An Act Concerning Certain Excavations. Effective July 18, 2008.*

*Please send any suggestions or comments concerning this publication to:*

*Maine Department of Environmental Protection  
Bureau of Land and Water Quality  
Policy and Planning Unit  
State House Station 17  
Augusta, ME 04333-0017*

\*

*Copies of most recent amendments are available at: <http://www.maine.gov/dep/blwq/legis99.htm>*

*Statutory text may be accessed on-line through the Maine Revisor of Statutes' web site at:*

*<http://janus.state.me.us/legis/statutes/>*

*When using the text on this web site (legis/statutes/), note the information on the web page concerning the currency of the text. Changes from a prior legislative session are not immediately incorporated.*

*The DEP Land and Water Bureau web page is located at:  
<http://www.state.me.us/dep/blwq>  
Supplementary materials relating to the Site Law are available at:  
<http://www.state.me.us/dep/blwq/docstand/sitelawpage.htm>*

**TABLE OF CONTENTS**  
(repealed provisions are not listed)

	Page
<b>481.Findings; purpose</b> .....	1
<b>482.Definitions</b> .....	1
Borrow pit .....	1
Development of state or regional significance.....	1
Metallic mineral mining or advanced exploration activity .....	2
Coastal wetlands .....	2
Freshwater wetlands .....	2
Overburden .....	2
Normal high-water line .....	2
Oil terminal facility.....	3
Person .....	3
Reclamation .....	3
Significant ground water aquifer.....	3
River, stream or brook .....	3
Shoreland zone .....	3
Subdivision .....	4
Structure .....	5
<b>483-A.Prohibition</b> .....	5
<b>484.Standards</b> .....	5
Financial capacity .....	5
No adverse effect on the natural environment .....	6
Soil types .....	6
Storm water management and erosion and sedimentation control .....	6
Ground water .....	6
Infrastructure .....	7
Flooding.....	7
Blasting .....	7
<b>484-A.Unlicensed pits; temporary licensing</b> .....	7
Notice of intent to comply .....	7
Adherence to compliance schedule .....	7
<b>484-B. Additional standards for quarries and excavation</b> .....	8
Spill prevention.....	8
Dust control .....	8
<b>485-A.Notification required; board action; administrative appeals</b> .....	8
Wood supply .....	8
Advance ruling .....	8
Approval of future development sites .....	8
Hearing request .....	9
Failure to notify commissioner .....	9
Permit display .....	9
<b>486-A. Hearings; orders; construction suspended</b> .....	9
Hearing .....	9
Developer; burden of proof .....	9
Findings of fact; order .....	9
No construction pending order.....	9
Continuing compliance; air and water pollution .....	9
Transcriptions .....	9
Minor revisions .....	9
<b>487-A. Hazardous activities; transmission lines</b> .....	10

	Power generating facilities.....	10
	Easement required; transmission line or gas pipeline .....	10
	Notice to landowners; transmission line or gas pipeline .....	10
<b>488.</b>	<b>Applicability</b> .....	10
	Subdivision exemptions .....	11
	Exemption for expansion of existing manufacturing facility .....	12
	Development within unorganized areas .....	12
	Roads and railroad tracks .....	12
	Farm and fire ponds .....	13
	Structures within permitted commercial and industrial subdivisions .....	13
	Research and aquaculture leases .....	13
	Developments within designated growth areas .....	13
	Exemption for former military bases .....	14
	Structure area within residential lots.....	14
	Roundwood and lumber storage yards .....	14
	Municipal capacity .....	15
	Modifications in permitted subdivisions.....	16
	Waste facilities.....	17
	Agriculture fair property.....	17
<b>489-A.</b>	<b>Municipal review of development</b> .....	17
	Kinds of projects .....	17
	Modification .....	18
	Registration .....	18
	Current requirements .....	19
	Certification .....	19
	Record of review and basis for decision .....	19
	Suspension of registration .....	19
	Transition .....	19
	Central list of pending projects .....	19
	Technical assistance .....	19
	Application review process.....	19
	State jurisdiction .....	19
	Appeal of decision by commissioner to review .....	20
	App. of decision by commissioner to grant/withhold/suspend registration. ....	20
	Joint enforcement.....	20
<b>489-B.</b>	<b>Uranium and thorium</b> .....	20
<b>489-C.</b>	<b>Rescission</b> .....	20
	Development other than a subdivision .....	20
	Subdivision .....	21
	Reclamation following borrow, clay or topsoil mining .....	21
<b>489-C.</b>	<b>Technical assistance to municipalities</b> .....	21
	Costs .....	21
	Type of development .....	21
<b>490.</b>	<b>Reclamation</b> .....	21
	Requirement .....	22
	Bonds .....	21
	Metallic ore mines .....	22
	Time schedules .....	22
	Acquisition of property .....	22
	Cooperation with others .....	22
	Fees.....	22
	Definition .....	22
	Rules.....	22
	Enforcement .....	22

<i>Appendix A. Additional, recent unallocated law provisions</i> .....	24
<i>Appendix B. Appendix B. PL 2007, c. 661, Part B from An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development</i> .....	29