Rulemaking Fact Sheet

(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

DEPARTMENT CONTACT:

Mary James, DEP-BRWM
#17 State House Station
Augusta Maine 04333-0017

Mary.R.James@maine.gov
Phone: (207) 287-7758
Fax: (207) 287-7826

CHAPTER NUMBER AND TITLE: Chapter 686, Standards for Assessing Ability to Pay Deductibles under the Fund Insurance Program

STATUTORY AUTHORITY: 38 MRSA §568-A(3)

DATE AND PLACE OF PUBLIC HEARING: August 21, 2012 at DEP offices in Augusta

COMMENT DEADLINE: August 31, 2012

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: 38 MRSA §568-A(3) requires the department to adopt rules establishing the standards for assessing a person's ability to pay deductibles under the Fund Insurance Program, the State insurance program for owners and operators of oil storage tanks.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: Owners and operators of oil storage tanks that have suffered a discharge can apply to have the costs arising from the discharge paid from the Ground Water Oil Clean-up Fund. Applicants found eligible for coverage are required to pay a deductible. The commissioner can waive the deductible on an oil storage facility serving the applicant's personal residence if the applicant does not have the financial resources to pay the assessed deductible amount. This chapter sets forth process and standards by which the department will assess an applicant's ability to pay.

FISCAL IMPACT OF THE RULE: None.

BRIEF SUMMARY OF INFORMATION CONSIDERED DURING RULE DEVELOPMENT: The Department's existing process for determining individual ability to pay was reviewed and revised to incorporate efficiencies before memorializing the process in this rule.

FOR RULES WITH FISCAL IMPACT OF $1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS OR GROUPS AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

Note: If necessary, additional pages may be used.