# **State of Maine**

# **NOTICE OF STATE AGENCY RULEMAKING**

**PUBLIC INPUT FOR RULES** A list of state agency rule proposals is published here each Wednesday. You can get a copy of a proposed rule by contacting the person listed in the notice. You can comment on a proposed rule by submitting a written comment to the agency or by attending the public hearing, if one is scheduled. If no hearing is scheduled, you can request one.  The agency must hold a hearing if it receives 5 or more requests.  If you have a disability and need assistance to participate in a hearing, you should tell the agency at least 7 days before the hearing. **ONLINE INFORMATION** Weekly notices, full text of adopted rules, and a list of agency rulemaking contacts are available at this website: [https://www.maine.gov/sos/cec/rules/index.html](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2Findex.html&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C645b27059f0346864d7008dc94834bf0%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638548538834447354%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=K93i9Iukz%2F4M1hnG1XnmVSNiEpRD2zB99vb6RheIZ8A%3D&reserved=0)

# **PROPOSALS**

AGENCY: 06-096 Department of Environmental Protection

**CHAPTER NUMBER AND TITLE: Ch. 149, General Permit Regulation for Nonmetallic Mineral Processing Plants**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P121**

**BRIEF SUMMARY:** The Department is proposing to amend Chapter 149, General Permit Regulation for Nonmetallic Mineral Processing Plants, to clarify applicability and exclusions, remove emission standards for nonroad engines, allow for the submission of registrations and other information through an electronic licensing system, align requirements for visible emissions with those in Chapter 101, Visible Emissions Regulation, and address the voluntary surrender and transfer of a general permit. All or parts of this rule may be submitted for inclusion in Maine's State Implementation Plan.

**PUBLIC HEARING**: 9:00 AM, September 18, 2025, Augusta Civic Center, 76 Community Drive, Augusta

**COMMENT DEADLINE:** September 29, 2025

**CONTACT PERSON FOR THIS FILING:**

Lynn Muzzey

Maine Department of Environmental Protection

17 State House Station

Augusta, ME 04333

(207) 332-1279

lynn.muzzey@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 38 M.R.S. § 585-A

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: N/A

**AGENCY WEBSITE:** [www.maine.gov/dep/rules](http://www.maine.gov/dep/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Tom.Graham@maine.gov

AGENCY: 06-096 Department of Environmental Protection

**CHAPTER NUMBER AND TITLE: Ch. 164, General Permit for Concrete Batch Plants**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P122**

**BRIEF SUMMARY:** The Department is proposing to amend Chapter 164, General Permit for Concrete Batch Plants, to clarify applicability and exclusions, remove emission standards for nonroad engines, allow for the submission of registrations and other information through an electronic licensing system, align requirements for visible emissions with those in Chapter 101, Visible Emissions Regulation, and address the voluntary surrender and transfer of a general permit. All or parts of this rule may be submitted for inclusion in Maine's State Implementation Plan.

**PUBLIC HEARING:** 9:00 AM, September 18, 2025, Augusta Civic Center, 76 Community Drive, Augusta

**COMMENT DEADLINE:** September 29, 2025

**CONTACT PERSON FOR THIS FILING:**

Lynn Muzzey

Maine Department of Environmental Protection

17 State House Station

Augusta, ME 04333

(207) 332-1279

lynn.muzzey@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 38 M.R.S. § 585-A

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: N/A

**AGENCY WEBSITE:** [www.maine.gov/dep/rules](http://www.maine.gov/dep/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Tom.Graham@maine.gov

AGENCY: 06-096 Department of Environmental Protection

**CHAPTER NUMBER AND TITLE: Ch. 165, General Permit for Class IV-A Incinerators**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P123**

**BRIEF SUMMARY:** The Department is proposing to amend Chapter 165, General Permit for Class IV-A Incinerators, to clarify applicability and exclusions, allow for the submission of registrations and other information through an electronic licensing system, align requirements for visible emissions with those in Chapter 101, Visible Emissions Regulation, and address the voluntary surrender and transfer of a general permit.

**PUBLIC HEARING** *(if any)*: 9:00 AM, September 18, 2025, Augusta Civic Center, 76 Community Drive, Augusta

**COMMENT DEADLINE:** September 29, 2025

**CONTACT PERSON FOR THIS FILING:**

Lynn Muzzey

Maine Department of Environmental Protection

17 State House Station

Augusta, ME 04333

(207) 332-1279

lynn.muzzey@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 38 M.R.S. § 585-A

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: N/A

**AGENCY WEBSITE:** [www.maine.gov/dep/rules](http://www.maine.gov/dep/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Tom.Graham@maine.gov

AGENCY: 99-346 Maine State Housing Authority

**CHAPTER NUMBER AND TITLE: Ch. 19, Homeless Solutions Rule**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P125**

**BRIEF SUMMARY:** The Maine State Housing Authority uses funds from certain federal and state resources to give grants to agencies for a variety of activities to assist people who are experiencing homelessness. This Rule governs MaineHousing’s allocation of resources for such programs, program design, the publication and distribution of program guides, and potential selection criteria. Some resources are distributed according to a funding formula set forth in the applicable Program Guide and Application. Other resources may be distributed according to programs designed by MaineHousing.

**PUBLIC HEARING**: A public hearing will be held on Tuesday, September

16, 2025 at 9:30 AM at Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330. To listen or testify virtually, please contact Board Admin no later than 5:00 p.m. on Thursday, September 11, 2025 at MaineHousing, 26 Edison Drive, Augusta, Maine 04330-6046; (207) 626-4600 (voice); 1-800-452-4668 (voice in state only); or 711 (Maine Relay) or via e-mail: BoardAdmin@mainehousing.org.

**COMMENT DEADLINE:** Friday, September 26, 2025 at 5:00 PM

**CONTACT PERSON FOR THIS FILING:** Ashley Carson, Chief Counsel, Maine State Housing Authority, State House Station #89, 26 Edison Drive, Augusta, Maine, 04330-6046, (207) 626-4600 (telephone), (800) 452-4668 (voice in state only) or Maine Relay 711, acarson@mainehousing.org (e-mail).

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 30-A M.R.S. §§4741 (1) and (18); §4766; §4994-A; 42 U.S.C. §§11301, *et seq.*

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: N/A

**AGENCY WEBSITE:** [www.mainehousing.org/about/rules](http://www.mainehousing.org/about/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** acarson@mainehousing.org

AGENCY: 06-096 Department of Environmental Protection

**CHAPTER NUMBER AND TITLE: Ch. 310, Wetlands and Waterbodies Protection**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P126**

**BRIEF SUMMARY:** Because the State’s surface water and near surface groundwater resources are so extensive, wetlands can be hydrologically connected over large distances. Currently, wetlands that contain significant wildlife habitat, peatlands, or critically imperiled or imperiled plant communities are considered Wetlands of Special Significance and only a limited list of activities can be permitted within them, regardless of the distance between the proposed activity and the triggering feature. The proposed rule would allow the Department to permit additional activities within wetlands that are Wetlands of Special Significance because they contain significant wildlife habitat, peatlands, or critically imperiled or imperiled plant communities, provided: a) the activity is at least 750 feet from the triggering feature and b) the activity does not have an unreasonable adverse effect on the significant wildlife habitat, peatlands, or critically imperiled or imperiled plant community.

The proposed rule would also classify rivers, streams or brooks as Wetlands of Special Significance. Currently, coastal wetlands, great ponds, and freshwater wetlands within 25 feet of a river, stream, or brook are Wetlands of Special Significance. This change would limit the types of development activities that may occur in rivers, streams, or brooks. It would also mean the 2:1 compensation ratio used for Wetlands of Special Significance would apply for impacts to rivers, streams, or brooks.

**PUBLIC HEARING:** September 18, 2025, 9:00am, Augusta Civic Center (76 Community Dr, Augusta, ME 04330)

**COMMENT DEADLINE:** September 29, 2025

**CONTACT PERSON FOR THIS FILING:**

Naomi Kirk-Lawlor

17 State House Station

Augusta, ME 04333

Phone: 207-287-7844

naomi.kirk-lawlor@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:** N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:**N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 38 M.R.S. §341-H

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:** N/A

**AGENCY WEBSITE:**  [www.maine.gov/dep/rules](http://www.maine.gov/dep/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Tom.Graham@maine.gov

# **ADOPTIONS**

AGENCY: Agriculture, Conservation and Forestry, Maine Milk Commission

**CHAPTER NUMBER AND TITLE: Ch. 3, Schedule of Minimum Prices (Order #09-25)**

**ADOPTION FILING NUMBER: 2025-168**

**CONCISE SUMMARY:**

The Minimum September 2025 Class I price is $23.80/cwt. plus $1.63/cwt. for Producer Margins, an over-order premium of $1.04/cwt as prevailing in Southern New England, and a $0.47/cwt. handling fee, for a total of **$27.14/cwt**., which includes a $0**.20**/cwt Federal promotion fee.

**EFFECTIVE DATE: Sunday, August 31, 2025**

**AGENCY CONTACT PERSON:** Julie-Marie R. Bickford

AGENCY NAME: Maine Milk Commission, DACF

ADDRESS: 28 SHS, Augusta, ME 04333

TELEPHONE: 207-287-7521