**§2322. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2009, c. 579, Pt. A, §3 (NEW).]

**1. Alternative.**  "Alternative" means a substitute process, product, material, chemical, strategy or a combination of these that serves a purpose functionally equivalent to that of a priority toxic chemical used by a commercial and industrial facility.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**2. Commercial and industrial facility or facility.**  "Commercial and industrial facility" or "facility" means an entity:

A. With an economic sector or industry code under the North American Industry Classification System of the United States Department of Commerce, United States Census Bureau; and [PL 2009, c. 579, Pt. A, §3 (NEW).]

B. Located in the State. [PL 2009, c. 579, Pt. A, §3 (NEW).]

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**3. Environmental management system.**  "Environmental management system" means a part of an overall management system of a facility and includes organizational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining the environmental policy of the facility through documented systematic procedures.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**4. Priority toxic chemical.**  "Priority toxic chemical" means a chemical that has been identified by the department pursuant to section 2323.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**5. Reasonably available.**  "Reasonably available" means practicable based on cost, efficacy, availability and other factors as determined by the department.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**6. Safer alternative.**  "Safer alternative" has the same meaning as in section 1691, subsection 12.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**7. SARA.**  "SARA" means the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

**8. Toxic chemical.**  "Toxic chemical" means a chemical that has been identified as a chemical of concern pursuant to section 1693 or a chemical the use or release of which is subject to reporting under the SARA, Title III, Section 312 or 313.

[PL 2011, c. 319, §12 (AMD).]

**9. Use.**  "Use" means to manufacture, process or otherwise use a priority toxic chemical or to use a product or material that contains a priority toxic chemical if so designated by the department in rules adopted under this chapter.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

SECTION HISTORY

PL 2009, c. 579, Pt. A, §3 (NEW). PL 2011, c. 319, §12 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.