**§3011. Enforcement of environmental covenant**

**1. Civil action.**  A civil action for injunctive or other equitable relief for violation of an environmental covenant may be maintained by:

A. A party to the covenant unless the agency determines otherwise for good cause at the time the environmental covenant is created, but in that event the party has no liability for any violation of the covenant by others; [PL 2005, c. 370, §1 (NEW).]

B. The agency or, if it is not the agency, the department; [PL 2005, c. 370, §1 (NEW).]

C. Any person to whom the covenant expressly grants power to enforce; [PL 2005, c. 370, §1 (NEW).]

D. A person whose interest in the real property or whose collateral or liability may be affected by the alleged violation of the covenant; or [PL 2005, c. 370, §1 (NEW).]

E. A municipality or other unit of local government in which the real property subject to the covenant is located. [PL 2005, c. 370, §1 (NEW).]

[PL 2005, c. 370, §1 (NEW).]

**2. Effect or regulatory authority.**  This chapter does not limit the regulatory authority of the agency or the department under any law other than this chapter with respect to an environmental response project.

[PL 2005, c. 370, §1 (NEW).]

**3. Liability for environmental remediation.**  A person is not responsible for or subject to liability for environmental remediation solely because the person has the right to enforce an environmental covenant.

[PL 2005, c. 370, §1 (NEW).]

SECTION HISTORY

PL 2005, c. 370, §1 (NEW).

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 Maine Legislature and is current through January 1, 2025
. 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.