**§490-J. Fees**

The owner or operator of an excavation being operated under this article must pay the regulator: [PL 1995, c. 700, §31 (AMD).]

**1. Initial fee.**  A fee of $250 upon filing a notice of intent to comply under section 484‑A or 490‑C;

[PL 1993, c. 350, §5 (NEW).]

**2. Annual fee.**  By March 1st of each year, an annual fee of:

A. Four hundred dollars for an excavation from which 2,500 cubic yards or more of material will be extracted during that year; and [PL 2005, c. 158, §7 (AMD).]

B. One hundred dollars, for all other excavations. To be eligible for the annual fee under this paragraph, the owner or operator must include with the payment of this fee a signed statement certifying that less than 2,500 cubic yards of material will be extracted during that year; [PL 2005, c. 158, §7 (AMD).]

[PL 2005, c. 158, §7 (AMD).]

**3. Variance fee.**  A fee of $250 for each variance requested under section 490‑E, except for the following:

A. A fee of $500 for a variance to excavate below the seasonal high water table; [PL 1995, c. 700, §31 (NEW).]

B. A fee of $500 for a variance to create an externally drained pit; and [PL 1995, c. 700, §31 (NEW).]

C. A fee of $125 for a variance to waive the topsoil salvage requirement; and [PL 1995, c. 700, §31 (NEW).]

[PL 1995, c. 700, §31 (AMD).]

**4. Notice of intent to expand.**  A fee of $250 upon filing a notice of intent to expand under section 490‑F.

[PL 1993, c. 350, §5 (NEW).]

Notwithstanding any other provision of this section, the total for all fees paid under subsections 1 and 2 for one borrow, clay, topsoil or silt excavation in one calendar year may not exceed $350. [PL 1995, c. 700, §31 (AMD).]

Payment of the annual fee under subsection 2 is no longer required after reclamation is complete as determined by the department. The department shall inspect the site before making this determination. [PL 1995, c. 700, §31 (NEW).]

All fees received under this article must be deposited in the Maine Environmental Protection Fund consistent with section 353‑C. [PL 2003, c. 673, Pt. GG, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 350, §5 (NEW). PL 1995, c. 700, §31 (AMD). PL 2003, c. 673, §GG2 (AMD). PL 2005, c. 158, §7 (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.