

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1791

H. P. 1578

House of Representatives, May 18, 1977

Reported by Mr. Green from Committee on Natural Resources and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Assign the Responsibilities of Sewage Disposal to the
Department of Environmental Protection.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 30 MRSA § 3221, sub-§ 4, as enacted by PL 1973, c. 521, § 4, is amended to read:

4. **Subsurface sewage disposal system.** "Subsurface sewage disposal system" shall mean any system for disposing of wastes or waste waters on or beneath the surface of the earth including, but not limited to, ~~holding ponds, surface spray systems~~ septic tanks, drainage fields, cesspools, ~~wells~~ holding tanks, surface ditches or any other fixture, mechanism or apparatus used for such purposes, but shall not include any discharge system licensed under Title 38, section 414, **surface waste water disposal system** or any municipal or quasi-municipal sewer or sewage treatment system.

Sec. 2. 30 MRSA § 3223, sub-§ 1, 1st sentence, as enacted by PL 1973, c. 521, § 4, is amended to read:

No pipes, tanks, faucets, valves or other fixtures not related to a manufacturing or industrial operation or the waste from such operation located on or about such operation shall be placed in any building, nor shall any septic tank or other system of ~~private~~ **subsurface** sewage disposal be installed to receive the drainage from such plumbing, except to repair leaks or to replace an existing fixture, except a water heater, to be used for the same purpose, unless a permit for installation of such work has been issued by the municipal plumbing inspector.

Sec. 3. 38 MRSA § 361-A, sub-§ 4-B is enacted to read:

4-B. Surface waste water disposal system. "Surface waste water disposal system" shall mean any system for disposal of waste waters on the surface of the earth, including, but not limited to, holding ponds, surface application and injection systems.

Sec. 4. 38 MRSA § 413, sub-§ 1-A is enacted to read:

1-A. License required for surface waste water disposal systems. No person shall install, operate or maintain a surface waste water disposal system without first obtaining a license therefor from the board.

STATEMENT OF FACT

This new draft deletes the sections of the original bill which provided for transference of sewage disposal responsibilities from the Department of Human Services to the Department of Environmental Protection. However, the definition of the type of disposal system which each department regulates is made clear.