

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
104TH LEGISLATURE  
FIRST SPECIAL SESSION

SENATE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 650,  
L.D. 1828, Bill, "AN ACT Relating to Water Quality Standards."

Amend said Amendment by adding at the end, before the  
single quotation mark, the following:

Sec. 3. R. S., T. 38 § 361, amended. Section 361 of Title  
36 of the Revised Statutes, as amended, is further amended by  
inserting before the last paragraph the following new paragraph:

Waters whose existing quality is better than the established  
standards as of the date on which such standards become effective  
will be maintained at high quality unless it has been affirmatively  
demonstrated to the State that a change is justifiable as a result  
of necessary economic or social development and will not preclude  
present and anticipated use of such waters. Any industrial,  
public, or private project or development which would constitute  
a new source of pollution or an increased source of pollution to  
high quality waters will be required to provide the necessary  
degree of waste treatment to maintain high water quality. In im-  
plementing this policy, the Secretary of the Interior will be kept  
advised and will be provided with such information as he will need  
to discharge his responsibilities under the Federal Water Pollu-  
tion Control Act, as amended.

Sec. 4. R. S., T. 38, § 363, amended. Section 363 of Title  
38 of the Revised statutes, as repealed and replaced by section  
4 of chapter 475 of the public laws of 1967, and as amended, is  
further amended by adding after the 4th paragraph the following  
new paragraphs:

Rivers and streams of this classification shall not be warmed  
by heat of artificial origin more than 5 degrees Fahrenheit. The  
epilimnion of lakes and ponds of this classification shall not be  
warmed by heat of artificial origin more than 3 degrees Fahrenheit.  
In no event shall any waters of this classification not frequented  
by trout or salmon be warmed by heat of artificial origin to more  
than 84 degrees Fahrenheit, nor shall any waters of this classifica-  
tion frequented by trout or salmon be warmed by heat of artificial  
origin to more than 68 degrees Fahrenheit.

No effluent the temperature of which exceeds the mean low  
temperature of a receiving body of water of this classification  
shall be discharged into such waters or portions thereof designated  
as fish spawning beds by the Department of Inland Fisheries and  
Game.

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Sec. 5. R. S., T. 38, § 363, amended. Section 363 of Title 38

of the Revised Statutes, as repealed and replaced by section 4 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 8th paragraph the following new paragraphs:

Rivers and streams of this classification shall not be warmed by heat of artificial origin more than 5 degrees Fahrenheit. The epilimnion of lakes and ponds of this classification shall not be warmed by heat of artificial origin more than 3 degrees Fahrenheit. In no event shall any waters of this classification not frequented by trout or salmon be warmed by heat of artificial origin to more than 84 degrees Fahrenheit, nor shall any waters of this classification frequented by trout or salmon be warmed by heat of artificial origin to more than 68 degrees Fahrenheit.

No effluent the temperature of which exceeds the mean low temperature of a receiving body of water of this classification shall be discharged into such waters or portions thereof designated as fish spawning beds by the Department of Inland Fisheries and Game.

Sec. 6. R. S., T. 38 § 363, amended. Section 363 of Title 38 of the Revised Statutes, as repealed and replaced by section 4 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 11th paragraph the following new paragraphs:

Rivers and streams of this classification shall not be warmed by heat of artificial origin more than 5 degrees Fahrenheit. The epilimnion of lakes and ponds of this classification shall not be warmed by heat of artificial origin more than 3 degrees Fahrenheit. In no event shall any waters of this classification not frequented by trout or salmon be warmed by heat of artificial origin to more than 84 degrees Fahrenheit, nor shall any waters of this classification frequented by trout or salmon be warmed by heat of artificial origin to more than 68 degrees Fahrenheit.

No effluent the temperature of which exceeds the mean low temperature of a receiving body of water of this classification shall be discharged into such waters or portions thereof designated as fish spawning beds by the Department of Inland Fisheries and Game.

Sec. 7 R. S., T. 38 § 363 amended. Section 363 of Title 38 of the Revised Statutes, as repealed and replaced by section 4 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 15th paragraph the following new paragraphs:

Rivers and streams of this classification shall not be warmed by heat of artificial origin more than 5 degrees Fahrenheit. The epilimnion of lakes and ponds of this classification shall not be warmed by heat of artificial origin more than 3 degrees Fahrenheit. In no event shall any waters of this classification not frequented by trout or salmon be warmed by heat of artificial origin to more than 84 degrees Fahrenheit, nor shall any waters of this classification frequented by trout or salmon be warmed by heat of artificial origin to more than 68 degrees Fahrenheit.

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No effluent the temperature of which exceeds the mean low temperature of a receiving body of water of this classification shall be discharged into such waters or portions thereof designated as fish spawning beds by the Department of Inland Fisheries and Game.

Sec. 8, R. S., T. 38, § 364, amended. Section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 5 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 7th paragraph the following new paragraph:

There shall be no discharge of heated effluent into waters of this classification which will raise the monthly mean of the maximum daily temperature of such waters prior to such discharge more than 1.5 degrees Fahrenheit during the months of July, August and September, or more than 4 degrees Fahrenheit at any other time.

Sec. 9. R. S., T. 38, § 364, amended. Section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 5 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 10th paragraph the following new paragraph:

There shall be no discharge of heated effluent into waters of this classification which will raise the monthly mean of the maximum daily temperature of such waters prior to such discharge more than 1.5 degrees Fahrenheit during the months of July, August and September, or more than 4 degrees Fahrenheit at any other time.

Sec. 10. R. S., T. 38, § 364, amended. Section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 5 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after 12th paragraph the following new paragraph:

There shall be no discharge of heated effluent into waters of this classification which will raise the monthly mean of the maximum daily temperature of such waters prior to such discharge more than 1.5 degrees Fahrenheit during the months of July, August and September, or more than 4 degrees Fahrenheit at any other time.

Sec. 11. R. S., T. 38, § 364, amended. Section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 5 of chapter 475 of the public laws of 1967, and as amended, is further amended by adding after the 16th paragraph the following new paragraph:

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There shall be no discharge of heated effluent into waters of this classification which will raise the monthly mean of the maximum daily temperature of such waters prior to such discharge more than 1.5 degrees Fahrenheit during the months of July, August and September, or more than 4 degrees Fahrenheit at any other time.

Proposed by Senator BERNARD of Androscoggin.

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(Filing No. S-449)

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