

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 962

H. P. 717

House of Representatives, February 18, 1971

Referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Brown of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Repealing the Law Relating to Mixing Zones in Discharging Waste
in Waters.

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

R. S., T. 38, § 451, amended. The first paragraph of section 451 of Title 30 of the Revised Statutes, as repealed and replaced by section 6 of chapter 431 of the public laws of 1969 and the 2nd, 3rd and 4th paragraphs as enacted by section 6 of chapter 431 of the public laws of 1969, are repealed and the following enacted in place thereof:

After adoption of any classification for inland or tidal waters or sections thereof, it shall be unlawful for any person, firm, corporation, municipality, state agency or other legal entity to discharge any sewage, industrial or other waste, either alone or in conjunction with another or others, in such manner as will, after reasonable opportunity for diffusion and mixture, lower the quality of said waters or sections thereof, affected by such discharge, below the minimum requirements of such classification, and notwithstanding any licenses or exemptions therefrom which may have been granted or issued under sections 413 and 414.

STATEMENT OF FACT

The "mixing zone" provisions of section 451 have proved administratively unworkable. This bill would repeal the unworkable provisions and replace them with language similar to that which previously existed but modified so as, in the opinion of the Environmental Improvement Commission, to be workable and enforceable.