

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: S. P. 487, L. D. 1457

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1750

S. P. 593

In Senate, May 18, 1971

Reported by Senator Graham of Cumberland from Committee on Natural Resources and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relative to the Discharge of Mercury into Waters of the State.

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

R. S., T. 38, § 418, additional. Title 38 of the Revised Statutes is amended by adding a new section 418, to read as follows:

§ 418. Certain deposits and discharges prohibited

No person, firm, corporation or other legal entity shall place, deposit, discharge or spill, directly or indirectly, into the inland or tidal waters of this State, or on the ice thereof, or on the banks thereof so that the same may flow or be washed into such waters, or in such manner that the drainage therefrom may flow into such waters, any of the following substances:

1. Mercury. Mercury, and any compound containing mercury, whether organic or inorganic, in any concentration which increases the natural concentration of mercury in the receiving waters.

A. Exception. Any person, firm, corporation or other legal entity who, on January 1, 1971, was discharging any of the substances mentioned in this subsection in connection with an industrial process shall not be deemed in violation of this subsection if on or before December 31, 1971 it shall file with the commission a statement indicating the amount of such substance so discharged on said date.

B. Emergency prohibitions. Notwithstanding paragraph A, whenever the commission shall find that a concentration of 10 parts per billion of mercury or greater is present in any waters of this State, or that danger

to public health exists due to mercury concentrations of less than 10 parts per billion in any waters of this State, it may issue an emergency order to all persons discharging to such waters prohibiting or curtailing the further discharge of mercury, and compounds containing mercury, thereto. Such findings and order shall be served in manner similar to that described in section 593, and the parties affected by such order shall have the same rights and duties with respect thereto as is described in section 593.

STATEMENT OF FACT

The purpose of this bill is to phase out discharges of mercury into waters of the State, and to provide for suspension of mercury discharges when background levels in receiving waters reach or exceed 10 parts per billion, or when public health is threatened by mercury concentrations in waters.