

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 209

H. P. 154

House of Representatives, January 15, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT Authorizing the Department of Environmental Protection to
License Privately-owned Septic Waste Disposal Sites.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, all septic waste disposal sites must be licensed; and

Whereas, there are a large number of privately-owned and operated septic waste disposal sites within the State; and

Whereas, operation of those sites cannot be licensed under present provisions of Maine law; and

Whereas, the availability of such sites and the capacity of the Department of Environmental Protection to license them is essential for the protection of the citizens of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

30 MRSA, § 4104, as last amended by PL 1973, c. 712, § 3, is further amended by inserting after the first sentence the following:

In addition, any person may provide a site for disposal of such wastes.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The existing statute has been interpreted as prohibiting the establishment of approved sites for the disposal of septic tank and cesspool waste materials by private enterprise. Most of the communities throughout the State do not have municipal sites for this purpose. Traditionally, private enterprise has provided sites for the disposal of septic tank and cesspool material. The Department of Environmental Protection is aware of at least 18 nonpublic sites that would be acceptable for the disposal of septic tank and cesspool waste material. This bill would allow the Department of Environmental Protection to approve these nonpublic sites.