

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1506

S. P. 444

In Senate, April 7, 1975

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Johnston of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Permit Discharges of Equal or Higher Quality than Receiving
Waters.

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

38 MRSA § 414-A, sub-§ 1, ¶ E is enacted to read:

E. Discharge subject to effluent limitations. Notwithstanding anything else contained in this section, a discharge which is subject to effluent limitations requiring application of the best practicable treatment shall not be denied a license if the discharge is equal to or above the classification, or actual quality if unclassified or higher than classification, of the receiving waters.

STATEMENT OF FACT

In some instances, present law has been interpreted to prohibit discharges of a higher quality than the classification if existing water quality is below classification. This interpretation needlessly blocks new facilities willing to comply with standards until existing discharges are brought up to classification.