

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
107TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 708, L.D. 2235, Bill,
"AN ACT to Temporarily Exempt Property Owners on Islands in
Casco Bay from Certain Waste Discharge Compliance Requirements."

Amend said Bill by striking out everything after the
enacting clause and before the emergency clause and inserting
in place thereof the following:

'38 MRSA §451-A, sub-§6, is enacted to read:

6. Power to grant variances to owners of private dwellings.
The Board of Environmental Protection may grant a variance from any
statutory water pollution abatement time schedule for a time
certain terminating on or before June 1, 1977 to the owner of
a structure which:

- A. Is located on any Maine coastal island not connected
to the mainland by a bridge, road or causeway;
- B. Has been used as his dwelling place either year round
or seasonally prior to the effective date of this Act; and
- C. Is maintaining a discharge subject to the requirements
of sections 413, 414 and 414-A if the following conditions
exist and requirements are met:
- (1) compliance will cause an undue economic burden;
- (2) the water quality of the receiving waters will
not be seriously impaired;
- (3) the discharge will not differ in kind or be greater
in quantity from that which occurred prior to the

effective date of this Act on a year round basis or seasonally;

(4) the applicant presents to the department and receives approval of a written contract for installation of an alternate system providing best practicable treatment; and

(5) the approved system in subparagraph (4) shall be completed and operating prior to June 1, 1977.

An application for a variance under this subsection must be submitted prior to September 1, 1976. No applicant for a variance under this subsection shall be in violation of any time schedule during the period following application and prior to the Board of Environmental Protection's final action on the application.'

Statement of Fact

This amendment provides for island residents a variance procedure to enable them to initiate and complete waste treatment systems when they cannot comply with the statutory time schedule.

Reported by the Majority of the Committee on Natural Resources.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 19, 1976.

(Filing No. S-452).