

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-455)

COMMITTEE AMENDMENT "A" to H.P. 365, L.D. 456, Bill,
"AN ACT to Amend the Septic Tank and Cesspool Waste Act."

Amend the Bill in section 3 by striking out all of that part designated "§1321." and inserting in its place the following:

'§1321. Disposal of certain materials prohibited

1. Prohibition. No person shall dispose of any waste, refuse, effluent, sludge or any other material from any septic tank, cesspool or other treatment process, or dispose of any fluid hazardous waste on any land or soil or at any other site or place within the State, other than sites approved in accordance with section 1320, except that any person may bury, plow under or otherwise suitably dispose of on his own land such waste, refuse, effluent, sludge or any other material removed from a septic tank or cesspool serving his residence. This section shall not be construed to prohibit or regulate fluid effluents discharged to leaching fields installed in accordance with the Maine Plumbing Code or discharges licensed under chapter 3.

2. Definition. For the purpose of this section and section 1320, "fluid hazardous waste" shall mean wastes which contain sufficient liquid content to be free flowing and which contain or are composed of any element, compound,

substance or material designated by the Board of Environmental Protection, after opportunity for public hearing, as being a hazard to the public health, safety or welfare.'

Statement of Fact

Title 38, section 1321, subsection 1, makes it clear that discharges licensed under the water quality program or approved under the plumbing code will not need a permit. Title 38, section 1321, subsection 2, requires that the Board of Environmental Protection use the criteria of public health, safety or welfare when it designates items to be fluid hazardous waste.

Reported by the Committee on Natural Resources.

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