

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1605

H. P. 1380

House of Representatives, April 13, 1977

On Motion of Mr. Blodgett of Waldoboro, referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Masterton of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Encourage Local Inspection Systems to Identify Illegal
Domestic Waste Disposal Units.**

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

Sec. 1. 30 MRSA § 3221, sub-§ 1, ¶ C is enacted to read:

C. The Department of Human Services is authorized to annually pay to municipalities an amount not to exceed \$1 per subsurface waste disposal unit within a municipality for the identification of malfunctioning domestic waste disposal units; provided that no such payment shall be made unless the municipality enacts an ordinance which includes, at a minimum, the following provisions.

- (1) Inspection of subsurface waste disposal units shall take place during the 12-week spring period in which the historical average ground water level within the general region is highest.
- (2) All subsurface waste disposal units shall be inspected within a 6-year period, from the date of enactment of the ordinance, and by every 6th year thereafter.
- (3) An annual report shall be prepared by the local plumbing inspector and submitted to the Department of Human Services describing the results of that year's inspection, including the number of systems inspected, number of malfunctioning systems identified and action taken on each malfunctioning system identified.

The Department of Human Services shall establish additional guidelines for incorporation into a municipal ordinance which shall include, but not

necessarily be limited to, a description of acceptable methods of inspection and criteria for the identification of malfunctioning subsurface waste disposal systems. The Department of Human Services shall approve a municipality's ordinance before making any payment to the municipality. The municipality shall annually report to the Department of Human Services the number of subsurface waste disposal units within its borders, which shall equal the total number of residential and commercial buildings within the municipality, exclusive of those which are served by a public sewer system or which are included in a public sewer system plan certified by the Department of Environmental Protection and those served by sewage disposal systems with discharges licensed under Title 38, section 413.

Appropriation. There is appropriated from the General Fund to the Department of Human Services the sum of \$20,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
HUMAN SERVICES, DEPARTMENT OF		
All Other	\$10,000	\$10,000

STATEMENT OF FACT

This bill will provide for payment to municipalities by the Department of Human Services for the identification of malfunctioning domestic waste disposal units. It also establishes prerequisites which the municipalities shall meet before any payments are made, including inspection of all units within the municipality and the submission of an annual report to the department.