

MAINE STATE LEGISLATURE

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(EMERGENCY)

(New Draft of H.P. 596, L.D. 740)
(New Title)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1662

H.P. 1248

House of Representatives, May 23, 1983

Reported by Representative Mitchell from the Committee on Energy and Natural Resources and printed under Joint Rule 2.

Original bill presented by Representative McGowan of Pittsfield.
Cosponsored by Senator Bustin of Kennebec, Representative Callahan of Mechanic Falls and Representative Bell of Paris.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

AN ACT Concerning the Agricultural Use
of Sludge.

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

Whereas, the tanning industry is an important part of the Maine economy; and

Whereas, the disposal of tannery sludge is currently a major economic and environmental problem; and

Whereas, properly controlled land application of tannery sludge could be a cost-effective and

1 environmentally sound method of managing these
2 wastes, while increasing soil conditioning and pro-
3 ductivity; and

4 Whereas, demonstration of land application tech-
5 nology under controlled conditions this field season
6 is of the utmost urgency to preserve the tanning
7 industry in Maine; and

8 Whereas, in the judgment of the Legislature,
9 these facts create an emergency within the meaning of
10 the Constitution of Maine and require the following
11 legislation as immediately necessary for the preser-
12 vation of the public peace, health and safety; now,
13 therefore,

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

16 **Sec. 1. Findings and purpose.** The Legislature
17 finds that present disposal of tannery sludge in
18 landfills is expensive, is wasteful of an important
19 agricultural resource and may degrade the environ-
20 ment. The Legislature further finds that land appli-
21 cation of tannery sludge would enhance soil produc-
22 tivity. The Legislature directs the Commissioner of
23 Environmental Protection to conduct a 3-year tannery
24 sludge application demonstration project to determine
25 whether this poses any adverse health or environ-
26 mental effects.

27 **Sec. 2. Department of Environmental Protec-**
28 **tion.** The Commissioner of Environmental Protection
29 shall:

30 A. Provide notice and opportunity for public
31 participation of the demonstration project in ac-
32 cordance with the Revised Statutes, Title 38,
33 section 345;

34 B. Submit a plan for the conduct of the demon-
35 stration plan to the Board of Environmental Pro-
36 tection;

1 C. Monitor the project and evaluate the impact
2 of sludge application on ground water, soils and
3 plant crop uptake of heavy metals;

4 D. Determine the optimum sludge application
5 rates; and

6 E. Report to the board by November 1st of each
7 year on the progress of the project and make any
8 necessary recommendations for changes.

9 Sec. 3. Tannery industry. The tannery industry
10 shall provide the use of a suitable site of not more
11 than 50 acres for the project and shall cooperate
12 with the department in the conduct of the project.

13 Sec. 4. Participating municipality. The commis-
14 sioner shall seek a municipality that handles tannery
15 sludge at its wastewater treatment facilities for
16 participation in the project. This municipality shall
17 provide the sludge for the project. The department
18 shall consult with the municipal officers on the con-
19 duct of the project.

20 Sec. 5. Board of Environmental Protection. The
21 board shall review the plan for the conduct of the
22 project and approve the project if it determines that
23 it is not likely that the project will impair human
24 health or degrade the environment. The board shall
25 ensure that the project conforms to all existing
26 statutes and regulations to the greatest extent pos-
27 sible.

28 Sec. 6. Termination of the project. At the
29 termination of the project, the board shall assess
30 the impact of the project on the ground water. If the
31 project has caused any ground water supplies to
32 exceed applicable drinking water standards, the board
33 shall provide for restrictive covenants in accordance
34 with the Revised Statutes, Title 38, section 1308-A.

35 Sec. 7. Appropriation. The following funds are
36 appropriated from the General Fund to carry out the
37 purposes of this Act.

