

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 992

S.P. 337

In Senate, March 31, 1987

Reference to the Committee on Utilities suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate  
Presented by Senator BALDACCI of Penobscot.

STATE OF MAINE

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

AN ACT Relating to the Use of Antibackflow  
Devices on Public Water Supply  
Systems.

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

22 MRSA §2612, sub-§5, as enacted by PL 1975, c. 751, §4, is amended to read:

5. Cross connections. The department may adopt and enforce regulations governing the connection of any public water systems to any pipes, facilities or structures that carry, store or distribute water that has not been analyzed for compliance or cannot comply with the State Primary Drinking Water Standards, or any connection that may introduce contamination into the system, in order to protect the system from contamination.

1 Any person who is required by the operator of a public  
2 water system to install an antibackflow device  
3 may appeal within 30 days to the Commissioner of Human  
4 Services or his delegate for review. The installation  
5 requirement shall be stayed for up to 60 days  
6 pending the completion of the review. The commis-  
7 sioner shall review the situation to determine if  
8 that installation is required under an approved  
9 cross-connection control program developed in compli-  
10 ance with cross-connection rules promulgated under  
11 the authority of this subsection. If the commis-  
12 sioner finds that the installation is not required under  
13 the approved program, he shall suspend the require-  
14 ment for the installation and the operator of the  
15 public water system shall pay the cost of the review  
16 by the department. If the commissioner finds that  
17 there is no approved cross-connection control program  
18 for suppliers serving a population of 1,000 or more,  
19 the commissioner shall order the operator of the pub-  
20 lic water system to submit a program for approval,  
21 and the operator of the public water system shall pay  
22 the cost of the review by the department. The commis-  
23 sioner shall suspend the requirement for the instal-  
24 lation until a program is approved, unless he deter-  
25 mines that the installation is required to protect  
26 the public health. For suppliers serving a popula-  
27 tion of less than 1,000, with no approved  
28 cross-connection control program, if the commissioner  
29 finds that the public health does not require instal-  
30 lation of the device, then he shall suspend the re-  
31 quirement for the installation and the operator of  
32 the public water system and the appellant shall each  
33 pay half the cost of the review by the department.  
34 In any case, if the commissioner finds that installa-  
35 tion of the device is required then the cost of the  
36 review shall be paid by the appellant.

1 STATEMENT OF FACT

2 Present law authorizes the Department of Human  
3 Services to adopt rules governing cross connections  
4 that may introduce contamination in water systems.  
5 The department, in Public Law 1967, chapter 226 has  
6 promulgated rules requiring any suppliers serving a  
7 population of 1,000 or more people or which has an  
8 industrial account to have a cross-connection program  
9 approved by the department.

10 This bill provides an avenue of appeal, to the  
11 Commissioner of Human Services, for persons required  
12 by a public water system to install antibackflow de-  
13 vices.

14

1943031387