

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
THIRD SPECIAL SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2696

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H.P. 1994 House of Representatives, September 15, 1988  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.  
Reference to the Committee on Utilities suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative ALLEN of Washington.  
Cosponsored by Representatives MICHAUD of East  
Millinocket, HOLLOWAY of Edgecomb and Speaker MARTIN of Eagle  
Lake.

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STATE OF MAINE

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

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1 AN ACT to Protect the Environment around the  
2 Union Chemical Company Hazardous Waste Site.  
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4 Emergency preamble. Whereas, Acts of the  
5 Legislature do not become effective until 90 days  
6 after adjournment unless enacted as emergencies; and

7 Whereas, wastes from the Union Chemical Company  
8 hazardous waste spill in Hope, Maine, have entered the  
9 ground water beneath the site and have flowed into

1 Quiggle Brook, which borders the site; and

2 Whereas, a moratorium preventing the commercial  
3 use of water in Hobbs Pond, Fish Pond or Quiggle  
4 Brook, or any other use of water from those bodies  
5 that would significantly draw down their water levels,  
6 is essential to ensure that any withdrawal does not  
7 adversely affect the safety of the people in the area  
8 of the Union Chemical Company site; and

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

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

17 **Sec. 1. Moratorium established.** No water may  
18 be taken or withdrawn from Hobbs Pond, Fish Pond or  
19 Quiggle Brook, in Hope, Maine for commercial use and  
20 no decision on an application to take water from Hobbs  
21 Pond, Fish Pond or Quiggle Brook for commercial use  
22 may be made before October 31, 1989, notwithstanding  
23 any time requirement for processing or making a  
24 decision on an application. The Maine Revised  
25 Statutes, Title 1, section 302, shall not apply to any  
26 application or proceeding, pending or initiated prior  
27 to October 31, 1989.

28 **Sec. 2. Exemption.** Notwithstanding section 1,  
29 the Town of Hope Fire Department may take or withdraw  
30 water from Hobbs Pond, Fish Pond or Quiggle Brook for  
31 the purpose of fighting fires.

32 **Emergency clause.** In view of the emergency  
33 cited in the preamble, this Act shall take effect when  
34 approved.

35 **STATEMENT OF FACT**

36 This bill places a moratorium on the drawing of

1 water from Hobbs Pond, Fish Pond and Quiggle Brook  
2 located near the Union Chemical Company hazardous  
3 waste site in Hope, Maine until October 31, 1989. The  
4 bill further prohibits a decision from being made on  
5 an application to take water from Hobbs Pond, Fish  
6 Pond or Quiggle Brook before October 31, 1989, but the  
7 bill does not prevent an application from being made  
8 during that time period.

9 In order to protect existing drinking water  
10 supplies of the citizens in the area of the hazardous  
11 waste spill at the former Union Chemical Company site  
12 in Hope, Maine, it is essential that no water be drawn  
13 prior to October 31, 1989 from Quiggle Brook, which  
14 borders the Union Chemical Company site, or from Hobbs  
15 and Fish Ponds, the waters of which flow into Quiggle  
16 Brook.

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