

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 533, L.D. 718, Bill, "An Act to Implement the Governor's Study to Regain Full Use of Maine's Class C Rivers"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Regain Full Use of Maine's Waters Through the Establishment of Color Standards'

Further amend the bill by striking everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 38 MRSA §464, sub-§4, ¶A-1 is enacted to read:

A-1. No individual waste discharge may increase the color of any water body by more than 20 color units. The total increase in color units caused by all waste discharges to the water body shall be less than 40 color units.

Sec. 2. 38 MRSA §464, sub-§7 is enacted to read:

7. Time schedule for color standard compliance: rulemaking. Except as provided in paragraph A, every person, firm, corporation or other entity discharging to Maine waters shall comply with the color standards established under this section by July 1, 1992.

A. The commissioner may establish a schedule for compliance with the provisions of this subsection for waste water discharges licensed and in existence prior to July 1, 1989. The schedules shall be as short as possible and in no case may the commissioner establish a schedule which extends beyond July 1, 1995. The commissioner may establish interim and final dates for compliance. The commissioner shall base the schedule on a consideration of:

(1) The technological feasibility and economic impact of the steps necessary for compliance; and

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(2) The impact of the discharge on the existing and designated uses of the receiving waters.

Sec. 3. 38 MRSA §466, sub-§2-A is enacted to read:

2-A. Color unit. "Color unit" means that measure of water color derived from comparison with a standard measure prepared according to the specifications of the current edition, adopted by the United States Environmental Protection Agency, of "Standard Methods for Examination of Water and Waste Water."

Sec. 4. Commissioner's report. The Legislature recognizes that the Commissioner of Environmental Protection has undertaken an examination of the technological, economic and environmental costs and benefits of the color standards established by this Act. The Legislature directs the commissioner to present, in writing on or before March 1, 1990, any credible findings and recommendations with regard to the color standards, together with the full factual basis for these findings and recommendations, to the joint standing committee of the Legislature having jurisdiction over natural resource matters for its consideration. The committee may report such legislation regarding color standards as it finds necessary to the Legislature.'

STATEMENT OF FACT

The purpose of this amendment is to establish an individual and cumulative color standard for waste water discharges into Maine surface waters. Dischargers are given until July 1, 1992, to comply with the new standards.

The amendment also authorizes the Commissioner of Environmental Protection to establish compliance schedules of up to 3 additional years based on consideration of technological, economic and environmental factors.

The amendment also directs the Commissioner of Environmental Protection to report to the Legislature on the results of the commissioner's examination of the technological, economic and environmental costs and benefits of the color standards established by this Act.