

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1713

H.P. 1229

House of Representatives, May 30, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative STEVENS of Sabattus.

Cosponsored by Senator WEYMOUTH of Kennebec, Representative REED of Falmouth and Representative AIKMAN of Poland.

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STATE OF MAINE

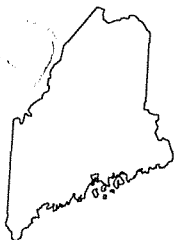
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE.

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An Act to Establish Color Standards for Maine Waters.

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

3 38 MRSA §464, sub-§§7 and 8 are enacted to read:

5 7. Implementation of color standards. On or before March  
7 31, 1990, the Commissioner of Environmental Protection shall  
9 submit to the board, and the board shall adopt, by rules  
11 promulgated under Title 5, chapter 375, limitations on the  
13 increase in color of any water body caused by individual waste  
15 water discharges. The board shall adopt limits that are  
17 necessary for a water body to be suitable for the designated uses  
19 and characteristics ascribed to its class.

21 8. Commissioner's report; draft legislation; independent  
23 review. The commissioner shall:

25 A. Undertake an examination of the technological, economic  
27 and environmental costs and benefits of color standards of  
29 Maine waters and prepare a report detailing the effects of  
31 implementing a color limit of 20 additional color units for  
33 each individual waste discharge in a water body and of 40  
35 additional color units, in the aggregate, for all waste  
37 discharges in a water body. For purposes of this section, a  
39 "color unit" means that measure of water color derived from  
41 comparison with a standard measure prepared according to the  
43 specifications of the current edition of "Standard Methods  
45 for Examination of Water and Waste Water" adopted by the  
47 United States Environmental Protection Agency. The report  
shall be accompanied by supporting factual documentation;

B. Prepare recommended color standards and compliance  
schedules and submit legislation to implement those  
standards and schedules to the joint standing committee of  
the Legislature having jurisdiction over natural resource  
matters on or before February 1, 1990. This proposed  
legislation shall be accompanied by supporting factual  
documentation, and shall include recommended color limits on  
a river-by-river basis as well as on a  
discharge-by-discharge basis; and

C. Contract with an independent person or entity to review  
the report of the examination conducted under paragraph A  
and to submit that person's or entity's findings to the  
commissioner. Those findings shall be included as part of  
the supporting factual documentation required under  
paragraph A.

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### STATEMENT OF FACT

This bill requires the Board of Environmental Protection to adopt color limits for individual and cumulative waste water discharges into Maine rivers, by rule, on or before March 31, 1990.

The bill also requires the commissioner to report to the Legislature upon the effects of achieving color limits of 20 color units for individual discharges and of 40 color units for aggregate discharges into a water body, together with supporting factual documentation. The commissioner also must submit draft legislation to effect the color limits and dates for compliance, based upon the examination to be conducted. Both the report and draft legislation must be submitted on or before February 1, 1990. The legislation would propose limits on a river-by-river and discharge-by-discharge basis.

Finally, this bill requires the commissioner to retain an independent person or firm to review the findings which will be generated before the commissioner reports to the Legislature next February and to submit a report to the commissioner. That report would be required to be submitted as supporting documentation to the commissioner's draft legislation.