

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 1970

H.P. 1418

House of Representatives, December 18, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 18, 1989. Referred to the Committee on Energy and Natural Resources and 1600 ordered printed pursuant to Joint Rule 14.

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

EDWIN H. PERT, Clerk

Presented by Representative NUTTING of Leeds.

Cosponsored by Representative BOUTILIER of Lewiston, Representative MICHAUD of East Millinocket and Senator BERUBE of Androscoggin.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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**An Act to Regain Full Use of Maine Waters through the Establishment  
of Color Standards.**

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

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

H. No individual waste discharge may increase the color of any water body by more than 18 color units. The total increase in color units caused by all waste discharges to the water body shall be less than 42 color units.

Sec. 2. 38 MRSA §464, sub-§§9 and 10 are enacted to read:

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

A. The commissioner shall 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 must be short and in no case may the commissioner establish a schedule that extends beyond July 1, 1995. The commissioner shall 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

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

10. Water intake. By January 1, 1995, any water taken in by an operating mill is to be taken in from waters downstream from the discharge point of the mill.

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 of "Standard Methods for Examination of Water and Waste Water" adopted by the United States Environmental Protection Agency.

Sec. 4. Report of the commissioner. 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, 1991, any credible findings and recommendations with regard to the color standards, and the full

2 factual basis for these findings and recommendations, to the  
3 Joint Standing Committee on Natural Resources for consideration.  
4 The committee may recommend legislation regarding color standards  
5 to the Legislature.

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### STATEMENT OF FACT

10 This bill sets an ambient color standard change caused by  
11 discharges and sets effluent limits for Maine rivers. It also  
12 requires all mills to take water in downstream from where it  
discharges.