

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 958

S.P. 356

Received by the Secretary, March 6, 1991

Referred to the Committee on Energy and Natural Resources and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BERUBE of Androscoggin

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Set a Moratorium on Issuing Permits for Septic Tanks.



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

2
4 38 MRSA §1305, sub-§6, as amended by PL 1985, c. 27, is further amended to read:

6 6. **Municipal septage sites.** Each municipality shall
8 provide for the adequate disposal of all refuse, effluent, sludge
10 and any other materials from all septic tanks and, cesspools and
12 holding tanks located within in the municipality. In addition,
14 any person may provide a site for disposal of septage. Before
16 making application to the Department of Environmental Protection
18 for approval of any site, that person shall first have written
20 approval for the site location from the municipality in which it
22 is located. The municipal officers shall approve, after hearing,
24 any such private site if ~~it finds~~ they find that the site does
not constitute a hazard to the health or safety of the residents
of the municipality. After August 31, 1992, a plumbing inspector
or code enforcement officer may not issue any permit pursuant to
Title 30-A, section 4215, for the installation of a subsurface
wastewater disposal system, as defined in Title 30-A, section
4201, subsection 5 or components of a subsurface wastewater
disposal system or for conversion of a seasonal dwelling in any
municipality that is not in compliance with this subsection.

26 **STATEMENT OF FACT**

28 This bill imposes a moratorium on a municipality for issuing
30 new permits for subsurface wastewater disposal systems if that
32 municipality is not in compliance as of August 31, 1992 with the
34 laws that require each municipality to provide for the disposal
36 of all refuse, effluent, sludge and any other materials from all
septic tanks and cesspools located in the municipality. The bill
also amends current law to require that a municipality's disposal
capacity be adequate to handle its share of septage. The bill
adds holding tanks to the list of systems for which the
municipality is responsible for the disposal of septage.