

MAINE STATE LEGISLATURE

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R. of S.

L.D. 177

(Filing No. S-32)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 76, L.D. 177, Bill, "An Act to Amend Certain Laws Affecting Waste Discharges by Quasi-municipal Agencies"

Amend the bill by striking out 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'Sec. 1. 38 MRSA §464, sub-§4, ¶A, as repealed and replaced by PL 1991, c. 66, Pt. A, §12, is amended to read:

A. Notwithstanding section 414-A, the department may not issue a water discharge license for any of the following discharges:

(1) Direct discharge of pollutants to waters having a drainage area of less than 10 square miles, except that discharges into these waters that were licensed prior to January 1, 1986, are allowed to continue only until practical alternatives exist;

(2) New direct discharge of domestic pollutants to tributaries of Class-GPA waters;

(3) Any discharge into a tributary of GPA waters that by itself or in combination with other activities causes water quality degradation which that would impair the characteristics and designated uses of downstream GPA waters or causes an increase in the trophic state of those GPA waters;

(4) Discharge of pollutants to waters of the State that imparts color, taste, turbidity, toxicity,

COMMITTEE AMENDMENT

radioactivity or other properties that cause those waters to be unsuitable for the designated uses and characteristics ascribed to their class;

(5) Discharge of pollutants to any water of the State that violates sections 465, 465-A and 465-B, except as provided in section 451; causes the "pH" of fresh waters to fall outside of the 6.0 to 8.5 range; or causes the "pH" of estuarine and marine waters to fall outside of the 7.0 to 8.5 range; and

(6) New discharges of domestic pollutants to the surface waters of the State that are not conveyed and treated in municipal or quasi-municipal sewage facilities. For the purposes of this subparagraph, "new discharge" means any overboard discharge that was not licensed as of June 1, 1987, except those discharges that were in continuous existence for the 12 months preceding June 1, 1987, as demonstrated by the applicant to the department with clear and convincing evidence. For purposes of licensing, the department shall treat an increase in the licensed volume or quantity of an existing discharge or an expansion in the months during which the discharge will take place as a new discharge of domestic pollutants.

Notwithstanding subparagraph (6), the department may issue a wastewater discharge license allowing for an increase in the volume or quantity of discharges of domestic pollutants from any university, college or school administrative unit sewage facility, provided that the university, college or school administrative unit has a wastewater discharge license valid on the effective date of this paragraph and the increase in discharges do not violate the conditions of subparagraphs (1) to (5) or other applicable laws.'

STATEMENT OF FACT

This amendment replaces the original bill. This amendment allows the Department of Environmental Protection to issue overboard discharge licenses to colleges, universities or school administrative units seeking to increase the volume or quantity of domestic pollutants discharged from its sewage facility. This amendment applies only to colleges, universities and school administrative units with overboard discharge licenses valid on the effective date of this Act.

Reported by Senator Lawrence for the Committee on Energy and Natural Resources. Reproduced and Distributed Pursuant to Senate Rule 12.
(3/2/93)

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