## MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1993

Legislative Document

No. 505

H.P. 392

House of Representatives, February 16, 1993

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

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

JOSEPH W. MAYO, Clerk

Presented by Representative NICKERSON of Turner. Cosponsored by Representatives: CLUKEY of Houlton, LEMONT of Kittery.

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

Sec. 1. 38 MRSA §1305, sub-§6, as amended by PL 1991, c. 499, §21, is further amended to read:

6. Municipal septage sites. Each municipality provide for the adequate disposal of all refuse, effluent, sludge and any other materials from all septic tanks and, cesspools and holding tanks located within in the municipality. In addition, any person may provide a site for disposal of septage. Before making application to the Department of Environmental Protection for approval of any site, that person shall first have written approval for the site location from the municipality in which it is located. The municipal officers shall approve, after hearing, any such private site if it--finds they find that the site complies with municipal ordinances and with local zoning and land use controls. After August 31, 1993, 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, for 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.

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#### STATEMENT OF FACT

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This bill imposes a moratorium on a municipality for issuing new permits for subsurface wastewater disposal systems if that municipality is not in compliance as of August 31, 1993 with the laws that require each municipality to provide for the disposal of all refuse, effluent, sludge and any other materials from all septic tanks and cesspools located in that 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.