

# MAINE STATE LEGISLATURE

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R.O.F.S.

L.D. 1462

(Filing No. S-236 )

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 470, L.D. 1462, Bill, "An Act to Facilitate Oil Spill Cleanup Operations"

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 §413, sub-§2-G is enacted to read:

2-G. Exemptions; oil discharge response. A person may not be considered in violation of this section for the discharge of oil to surface waters of the State if the discharge occurs in the process of recovering, containing, cleaning up or removing an oil spill to surface waters and is undertaken in compliance with the instructions of the commissioner or the commissioner's designee.

Sec. 2. 38 MRSA §543, 2nd ¶, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §108, is further amended to read:

Notwithstanding the prohibition of this section, the department may license the discharge of waste, refuse or effluent, including natural drainage contaminated by oil into or upon any coastal waters if, and only if, it finds that such the discharge will be receiving the best available treatment and that such the discharge will not degrade existing water quality ~~nor~~ perceptibly violate the classification of the receiving waters, ~~nor~~ or create any visible sheen upon the receiving waters. A license is not required and a person may not be considered in violation of this section for the discharge of oil to surface waters of the State if the discharge occurs in the process of recovering, containing, cleaning up or removing an oil spill to

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to S.P. 470, L.D. 1462

2 surface waters and is undertaken in compliance with the  
3 instructions of the commissioner or the commissioner's designee.

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**STATEMENT OF FACT**

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This amendment clarifies the circumstances under which an oil spill responder may discharge oil into water.

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Reported by Senator Ludwig for the Committee on Energy and Natural Resources. Reproduced and Distributed Pursuant to Senate Rule 12.

(5/27/93)

(Filing No. S-236)