

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3-19-97

(Filing No. H-67)

NATURAL RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 156, L.D. 198, Bill, "An Act to Amend the Permitting Laws for Septic Waste Disposal Sites"

Amend the bill in section 1 by striking out all of subsection 6 (page 1, lines 6 to 24 in L.D.) and inserting in its place the following:

'6. Municipal septage sites. Each municipality shall provide for the disposal of all refuse, effluent, sludge and any other materials from all septic tanks and cesspools located within the municipality. In addition, any person may provide a site for disposal of septage. Before In addition to 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, unless the site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulation Commission. A municipality may determine whether approval of the site must be obtained first from the department or the municipality. 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. In the absence of applicable municipal ordinances and local zoning and land use controls, the municipality shall base its approval of the site on compliance with the siting and design standards in the department's rules relating to septage management. For purposes of this subsection, "municipality" means a city, town or plantation.'

SUMMARY

This amendment replaces the bill. The amendment revises the laws relating to approval of septage disposal sites in the

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 156, L.D. 198

2 following ways. It maintains the requirement that approval of a
4 site be obtained from the municipality in which the site is
6 located as well as from the Department of Environmental
8 Protection, but it permits the municipality to decide whether
10 approval must be obtained first from the municipality or the
12 department. The amendment also specifies that municipal approval
14 is not required if a site is located in a Resource Protection
16 District under the jurisdiction of the Maine Land Use Regulation
Commission.

10 The amendment also clarifies that if a municipality lacks
12 applicable ordinances and local zoning and land use controls, the
14 municipality shall base its approval of the site on compliance
16 with the siting and design standards in the department's rules
relating to septage management. Finally, the amendment clarifies
the definition of municipality for purposes of the laws governing
municipal septage sites.

COMMITTEE AMENDMENT