

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1577

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H.P. 1121

House of Representatives, March 18, 1997

**An Act to Eliminate Paper Mill Dioxin and Restore Maine's Rivers.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BULL of Freeport.  
Cosponsored by Senator RAND of Cumberland and  
Representatives: BRUNO of Raymond, DUNLAP of Old Town, HATCH of Skowhegan,  
JONES of Greenville, McKEE of Wayne, Senator: LaFOUNTAIN of York.

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

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Sec. 1. 38 MRSA §414-D is enacted to read:

§414-D. Elimination of the discharge of dioxin from kraft pulp and paper mills through pollution prevention

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bleaching process" means that process used by a kraft pulp and paper mill wherein pulp is chemically treated to alter the coloring matter and increase pulp brightness.

B. "Chlorine-based bleaching chemicals" means any chlorine or chlorine-containing compound used in the bleaching process in kraft pulp and paper mills, including molecular chlorine, chlorine dioxide and hypochlorite.

C. "Dioxin" means any 2,3,7,8-substituted polychlorinated dibenzo-para-dioxin, PCDD and any 2,3,7,8-substituted polychlorinated dibenzo-para-furan, PCDF.

D. "Kraft pulp and paper mill" means a mill that uses an alkaline pulp manufacturing process in which the active chemicals of the liquor used in cooking or digesting wood chips, sawdust or other raw wood material to their component parts in a pressurized vessel or digester are primarily sodium sulfide solution.

2. Zero dioxin effluent limitation for kraft pulp and paper mills. A waste discharge license issued by the State to a kraft pulp and paper mill is subject to a zero dioxin effluent limitation that prohibits the discharge of dioxin formed as a result of the use of chlorine-based bleaching chemicals in the bleaching process. Notwithstanding section 414-A, subsection 1, paragraph D, kraft pulp and paper mills may be considered in compliance with this zero dioxin effluent limitation only if they demonstrate that they are in compliance with subsection 4.

3. Schedule of compliance. The commissioner shall establish a schedule of compliance with the zero dioxin effluent limitation that must be as short as possible. The commissioner may not establish a schedule of compliance that extends beyond December 31, 2002.

4. Elimination of chlorine-based bleaching chemicals. By December 31, 2002, all kraft pulp and paper mills in the State shall eliminate the use of all chlorine-based bleaching chemicals in the bleaching process.

2 5. License conditions. Notwithstanding section 344,  
3 subsection 1-A, the zero dioxin effluent limitation must be a  
4 condition of any waste discharge license for a kraft pulp and  
paper mill issued by the department.

6 6. License modification. Within 60 days after the  
7 effective date of this section, the board shall reopen and modify  
8 the terms and conditions of each kraft pulp and paper mill  
9 license and shall include the zero dioxin effluent limitation and  
10 schedule of compliance as set forth in this section. The board  
11 shall provide written notice and an opportunity for a hearing  
12 pursuant to department rules within the 60-day period.

14 7. Water quality certification under Clean Water Act. The  
15 zero dioxin effluent limitation and schedule of compliance must  
16 be a condition of water quality certification under the federal  
17 Clean Water Act, 33 United States Code, Section 1341 (1986), with  
18 regard to an application by a kraft pulp and paper mill for a  
19 permit under the federal Clean Water Act, 33 United States Code,  
20 Section 1342 (1986). The State shall act on a request for  
21 certification and may not waive certification. The State shall  
22 deny certification if the applicant is not in compliance with the  
23 provisions of this section.

24 8. Interstate waters. The commissioner shall object  
25 pursuant to the federal Clean Water Act, 33 United States Code,  
26 Section 1341 (a) (2) (1986), to the issuance of any license or  
27 permit by the United States Environmental Protection Agency to  
28 any kraft pulp and paper mill not located in the State that uses  
29 chlorine-based bleaching chemicals in its bleaching process and  
30 that discharges wastewater into waters that enter the State.

## 34 SUMMARY

36 This bill establishes a zero dioxin effluent limitation as a  
37 condition of all waste discharge licenses for kraft pulp and  
38 paper mills issued by the Department of Environmental  
39 Protection. The bill also requires that all kraft pulp and paper  
40 mills in the State eliminate the use of chlorine-based bleaching  
41 chemicals in the bleaching process by December 31, 2002.

42 The bill also requires the State to include the zero dioxin  
43 effluent limitation and schedule of compliance as a condition of  
44 water quality certification under the federal Clean Water Act.  
45 It also requires the Commissioner of Environmental Protection to  
46 object to the issuance of a license or permit by the United  
47 States Environmental Protection Agency to any kraft pulp and  
48 paper mill not located in the State that uses chlorine-based  
49 bleaching chemicals in its bleaching process and that discharges  
50 wastewater into waters that enter the State.