

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 692

H.P. 485

House of Representatives, January 26, 1999

An Act to Clarify the Reporting of Discharges of Hazardous Matter.

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 DAIGLE of Arundel.
Cosponsored by Representatives: CLARK of Millinocket, JOY of Crystal, MARTIN of Eagle Lake.

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

4 **Sec. 1. 38 MRSA §1318-B, sub-§1,** as amended by PL 1997, c.
5 364, §39, is further amended to read:

6 **1. Reporting.** Except as provided in this subsection, the
7 responsible party or person causing the discharge shall report a
8 discharge that poses a potential threat to human health or the
9 environment immediately to the Department of Public Safety, which
10 shall immediately notify the Commissioner of Environmental
11 Protection and the public safety agency of the municipality in
12 which the discharge takes place. Upon submission to the
13 commissioner of a written spill prevention control and clean-up
14 plan that meets the criteria of section 1318-C, subsection 1, a
15 discharge containing a hazardous matter that is covered by the
16 plan must be reported only if the discharge equals or exceeds the
17 applicable reportable quantity for that particular hazardous
18 matter as specified in Code of Federal Regulations, Title 40,
19 Parts 302.4, 302.5 and 302.6 (b)(1), revised as of July 1, 1996,
20 or when the discharge extends or spreads beyond the area on the
21 site covered by the spill prevention control and clean-up plan.

22 The department shall adopt rules to define when a responsible
23 party or person must report a discharge pursuant to this
24 subsection. These rules are routine technical rules pursuant to
25 Title 5, chapter 375, subchapter II-A.

28 **SUMMARY**

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31 This bill requires that a party or person who is responsible
32 for causing a discharge of hazardous matter report the discharge
33 immediately to the Department of Public Safety only if the
34 discharge poses a potential threat to human health or the
35 environment. Under current law, a responsible party or person
36 must report any discharge of hazardous matter into the waters of
the State, onto the land or into the ambient air.