

MAINE STATE LEGISLATURE

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L.D. 1158

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 378, L.D. 1158, Bill, "An Act To Protect Maine's Coastal Water"

Amend the amendment in section 2 in that part designated "~~§423-D.~~" in subsection 2 by striking out all of paragraph A.

Further amend the amendment in section 2 in that part designated "~~§423-D.~~" in subsection 2 by relettering the paragraphs to read consecutively.

Further amend the amendment in section 2 in that part designated "~~§423-D.~~" by striking out all of subsection 4 and inserting in its place the following:

'4. Prohibited discharges; exemption; general permit requirement. The following provisions govern the discharge of graywater and a mixture of graywater and blackwater from large commercial passenger vessels.

A. The owner or operator of a large commercial passenger vessel may not discharge graywater or a mixture of graywater and blackwater to coastal waters.

B. Notwithstanding paragraph A, beginning January 1, 2006, the owner or operator of a large commercial passenger vessel may discharge graywater or a mixture of graywater and blackwater to coastal waters if:

(1) The discharge is permitted and meets standards for continuous discharge under the federal Consolidated

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2 Appropriations Act of 2001, Public Law 106-554, Section
3 1(a)(4) and Appendix D, Division B, Title XIV, Section
4 1404(b) or (c), 114 Stat. 2763, 2763A-316;

6 (2) While operating in coastal waters, the owner or
7 operator of the large commercial passenger vessel
8 maintains a discharge record book as required by 33
9 Code of Federal Regulations 159.315 (2003);

10 (3) The owner or operator of the large commercial
11 passenger vessel meets the sampling and reporting
12 requirements of 33 Code of Federal Regulations 159.317
13 (2003) prior to and while operating in coastal waters,
14 except that instead of meeting the requirements in 33
15 Code of Federal Regulations 159.317(a)(2) the owner or
16 operator of the large commercial passenger vessel
17 shall, not less than 30 days nor more than 120 days
18 prior to the large commercial passenger vessel's
19 initial entry into the coastal waters during any
20 calendar year, provide a certification to the
21 department that the large commercial passenger vessel's
22 graywater and mixture of graywater and blackwater meets
23 the standards specified in subparagraph (1); and

24 (4) The department issues the owner or operator of the
25 large commercial passenger vessel a general permit to
26 discharge graywater or a mixture of graywater and
27 blackwater.

28 For purposes of this paragraph, the department shall adopt
29 rules, which are routine technical rules pursuant to Title
30 5, chapter 375, subchapter 2-A, to implement the
31 requirements in the federal Consolidated Appropriations Act
32 of 2001, Public Law 106-554, Section 1(a)(4) and Appendix D,
33 Division B, Title XIV, Section 1404(b) or (c), 114 Stat.
34 2763, 2763A-316 and Code of Federal Regulations 159.315 and
35 159.317 (2003) with the following changes: "Maine" is
36 substituted for "Alaska," "Department of Environmental
37 Protection" is substituted for "Captain of the Port" and for
38 "Coast Guard," and "graywater or a mixture of graywater and
39 blackwater" is substituted for "treated sewage and/or
40 graywater."

41 The department shall enter into a memorandum of agreement
42 with the United States Coast Guard to consolidate
43 information requirements of the department and the United
44 States Coast Guard to the extent acceptable to the United
45 States Coast Guard.'

Further amend the amendment by inserting after section 6 the following:

Sec. 7. Discharge prior to January 1, 2006. Notwithstanding the Maine Revised Statutes, Title 38, section 423-D, subsection 4, paragraph A, beginning on the effective date of this Act and ending January 1, 2006, the owner or operator of a large commercial passenger vessel may discharge graywater or a mixture of graywater and blackwater to coastal waters if the vessel is authorized to discharge graywater or a mixture of graywater and blackwater in Alaska pursuant to the federal Consolidated Appropriations Act of 2001, Public Law 106-554, Section 1(a)(4) and Appendix D, Division B, Title XIV, Section 1404(b) or (c), 114 Stat. 2763, 2763A-316.

Sec. 8. General permit; legislative intent. It is the intent of the Legislature that the regulation of graywater and graywater and blackwater mixture discharges from large commercial passenger vessels that are equipped with wastewater treatment systems that require continuous discharge be consistent with the regulation of similar vessels in Alaska. A general permit issued under the Maine Revised Statutes, Title 38, section 423-D, subsection 4, paragraph B, subparagraph (4) must be consistent with:

1. The requirements in Title 38, section 423-D, subsection 4, paragraph B; and

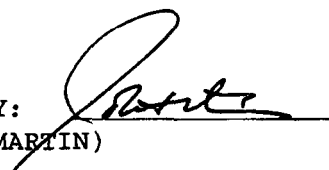
2. The requirements in rules adopted by the Department of Environmental Protection regarding general permits for certain wastewater discharges, except that the rule provision that authorizes the Department of Environmental Protection to require a person otherwise authorized under a general permit to apply for an individual permit does not apply.'

SUMMARY

This amendment amends Committee Amendment "A." The amendment prohibits the discharge of graywater or a mixture of graywater and blackwater to coastal waters by owners or operators of large commercial passenger vessels. Under the amendment, beginning January 1, 2006, a vessel that is equipped with an advanced wastewater treatment system may discharge graywater or a mixture of graywater and blackwater if the discharge complies with federal effluent standards and the owner or operator of the vessel complies with record-keeping and sampling and reporting requirements of federal law and is issued a general permit from the Department of Environmental Protection. The amendment also allows a large commercial passenger vessel that is equipped with

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2 a discharge system that requires continuous discharge to
3 discharge graywater or a mixture of graywater and blackwater
4 prior to January 1, 2006 if the vessel is authorized to discharge
5 in Alaskan waters.

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7
8 SPONSORED BY: 
9 (Senator MARTIN)

10 COUNTY: Aroostook
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