MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 99

H.P. 75

House of Representatives, January 11, 2005

An Act To Include Specific Bodies of Water within Class C Standards

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

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative MAKAS of Lewiston.

Cosponsored by Representative WALCOTT of Lewiston, Senator COWGER of Kennebec and Representatives: EBERLE of South Portland, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, MOODY of Manchester, THOMPSON of China, Senators: President EDMONDS of Cumberland, ROTUNDO of Androscoggin.

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

Sec. 1. 38 MRSA §465. sub-§4. \PB . as amended by PL 2003, c. 664, $\S1$, is further amended to read:

The dissolved oxygen content of Class C water may be not less than 5 parts per million or 60% of saturation, whichever is higher, and not less than 6.5 parts per million as a 30-day average whenever the daily water temperature is equal to or less than 24 degrees centigrade or the ambient temperature of the water body, whichever is lower, except that in identified salmonid spawning areas where water quality is sufficient to ensure spawning, egg incubation and survival of early life stages, that water quality sufficient for these purposes must be maintained. In--addition---in erder--to--provide--additional--protection--for--growth--ef indigenous -- fish -- dischargers -- that -- were -- issued -- final discharge-licenses-er-water-quality-certificates-prior-te March--16-,--2004-that--are-based--on-a--6-5-parts--per-million disselved -- oxygen -- criterion - must - continue - to - be -- lieensed using-a-temperature-of-24-degrees-centigrade-or-the-ambient temperature - of - the - water - bedy - - whichever - is - lower - - - Final discharge-licenses-and-water-quality-certificates-not-based en-a-6-5-parts-per-million-dissolved-oxygen-criterion-prier to-March-16,--2004-must-be-based-on-a-6,5-parts-per-million disselved-oxygen-eriterien-at-a-temperature-ef-22-degrees centigrade -- or - the -- ambient -- temperature -- of -- the -- water -- body whichever-is-lewer- Between May 15th and September 30th. the number of Escherichia coli bacteria of human origin in these waters may not exceed a geometric mean of 142 per 100 milliliters or an instantaneous level of 949 per 100 The board shall adopt rules governing the milliliters. procedure for designation of spawning areas. Those rules must include provision for periodic review of designated spawning areas and consultation with affected persons prior to designation of a stretch of water as a spawning area.

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SUMMARY

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42

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The bill requires all Class C waters to meet a 6.5 parts per million dissolved oxygen 30-day average standard whenever the daily water temperature is equal to or less than 24 degrees centigrade or the ambient temperature of the water body, whichever is lower.