

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1417,
L.D. 1911, "An Act To Prohibit the Contamination of Clean Soils with So-called Forever
Chemicals"

Amend the amendment by striking out all of section 5 and inserting the following:

'Sec. 5. 38 MRSA §1306, sub-§7 is enacted to read:

7. Prohibitions on land application of sludge and sale and distribution of compost and other agricultural products and materials containing sludge and septage. This subsection governs the land application of sludge and the sale and distribution of compost and other agricultural products and materials containing sludge and septage.

A. Notwithstanding any provision of law to the contrary, except as provided in paragraph B, a person may not:

(1) Apply to or spread on any land in the State:

(a) Sludge generated from a municipal, commercial or industrial wastewater treatment plant;

(b) Compost material that included in its production sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage; or

(c) Any other product or material that is intended for use as a fertilizer, soil amendment, topsoil replacement or mulch or for other similar agricultural purpose that is derived from or contains sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage; or

(2) Sell or distribute in the State:

(a) Compost material that included in its production sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage; or

(b) Any other product or material that is intended for use as a fertilizer, soil amendment, topsoil replacement or mulch or for other similar agricultural purpose that is derived from or contains sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage.

B. The prohibitions in paragraph A do not apply to:

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(1) The disposal or placement at a solid waste landfill of any of the materials that are prohibited from application, spreading, sale or distribution by this subsection;

(2) The land application of or the sale or distribution of compost material or other agricultural product or material derived from or containing residuals generated as a result of the processing or cultivation of food, food waste, crops or vegetative material, the brewing of malt liquor, the fermenting of wine or hard cider or the distilling of spirits, including, but not limited to, blueberries, apples, grapes, potatoes, seaweed, fish and seafood and spent grain or malt, provided that such residuals are not mixed with sludge from a municipal, commercial or industrial wastewater treatment plant, septage, sewage or sanitary wastewater prior to or during land application or the production of the compost material or other agricultural product or material; or

(3) The land application of or the sale or distribution of compost material or other agricultural product or material derived from or containing sludge resulting from the production of precipitated calcium carbonate.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment amends Committee Amendment "A" to remove the prohibition on the sale, distribution or use of an agricultural crop or other vegetative material for any agricultural purpose if the crop or vegetative material was grown at a location in the State where septage is licensed or permitted to be applied or spread.

SPONSORED BY: _____

(Senator BRENNER, S.)

COUNTY: Cumberland