

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO ENSURE TIMELY ADOPTION OF REVISED  
1191 SOLID WASTE RULES.

P&SL 1987  
c. 28  
EMERGENCY

Sponsor: Pursuant to P&SL 1985, c. 137  
Committee Report: OTP  
Amendments Adopted:  
S-54 PEARSON

SUMMARY: The bill provided an emergency appropriation of \$25,000 to ensure that new solid waste management rules were in place before the expiration of the landfill moratorium in place during late 1986 and 1987. The rules are to include provisions dealing with special wastes, including incinerator ash, the siting of new facilities, financial guarantees of post-closure care, and the disposal of demolition debris (inert fill).

A floor amendment in the Senate corrected a technical error in the appropriation clause.

LD AN ACT TO PROHIBIT ANY SOLID WASTE OR HAZARDOUS ONTP  
1260 WASTE DUMP WITHIN 5 MILES OF ANY MUNICIPAL  
WATER SUPPLY OR WITHIN ONE MILE OF ANY MAJOR  
RIVER.

Sponsor: BLACK, Dutremble D, Ridley, Murphy E  
Committee Report: ONTP

SUMMARY: The bill authorizes municipalities to prohibit the siting of any new solid or hazardous waste disposal facility within 5 miles of a municipal water source or within one mile of the Saco, Ossipee, Crooked, Androscoggin, Kennebec or Penobscot rivers. The bill exempts waste incineration facilities from this provision. See LD 1862.

LD AN ACT TO CLARIFY AND AMEND THE TREATMENT OF  
1268 OVERBOARD EFFLUENT DISCHARGES INTO THE WATERS  
OF THE STATE.

PL 1987  
c. 180  
EMERGENCY

Sponsor: RYDELL, Clark N, Estes, Holloway  
Committee Report: OTP-A  
Amendments Adopted:  
H-156 COMMITTEE

SUMMARY: The bill established a new set of licensing requirements for so-called "overboard discharges". The term, "overboard discharge" is defined as a discharge of domestic pollutants without conveyance to and treatment at a public waste water treatment plant. The bill prohibits

any new overboard discharge. All existing overboard discharges will be subject to relicensing on an accelerated schedule designed to accomplish review of all exiting discharges by 1993. An applicant for relicensing will have to demonstrate that the discharge meets all requirements of current water quality law and that the applicant has "fully investigated" and "implemented" all alternatives to the existing overboard discharge. These alternatives include connection with a public sewage treatment system, replacement of the discharge with an in-ground disposal system, or replacement of a discharge with a more technologically advanced overboard discharge system to reduce the impact of the discharge.

The committee amendment made provision for expansion of existing commercial, overboard discharges. This amendment makes expansions subject to the same licensing criteria used for relicensing existing facilities. In addition, the applicant must have a good compliance record on its existing licenses and must submit weekly effluent testing reports to the department.

The committee's discussion of this amendment for expansions centered on inns, restaurants, retailers and manufacturing facilities that had "domestic" (sanitary) waste discharges. The committee did not include amendments to effectively exempt condominiums and other residential developments from the prohibition on new overboard discharges.

The committee amendment also included an additional relicensing and expansion criteria to require a finding by the board that the existing or expanded discharge "will not adversely affect aquatic life...". The amendment also increased license fees to cover the fiscal impact of the bill.

During floor action, a statement was read in the Senate stating that the committee's intent was that "any publicly-owned sewerage system servicing a state, federal or municipality" be exempt from the ban on new or expanded overboard discharges. A floor amendment to LD 1868 clarified the application of this bill to state and federal facilities.

LD            AN ACT CONCERNING RADIOACTIVE WASTE DISPOSAL            CARRY-OVER  
1274        FACILITIES ON INDIAN TERRITORY.

Sponsor: KANY, Pearson, Moholland, Vose  
Committee Report: CARRY-OVER

SUMMARY: The bill required prior approval from the Passamaquoddy Tribe and the Penobscot Nation for the