



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2006

S.P. 708

In Senate, January 8, 2020

**An Act To Amend the Laws Governing Waste Discharge Analysis
by Laboratories Operated by Waste Discharge Facilities**

Submitted by the Department of Environmental Protection pursuant to Joint Rule 203.
Reference to the Committee on Environment and Natural Resources suggested and ordered
printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARSON of Cumberland.

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

2 **Sec. 1. 22 MRSA §567, sub-§1**, as amended by PL 2017, c. 407, Pt. A, §68, is
3 further amended to read:

4 **1. Acceptable data.** Except as provided in this subsection, 6 months after the
5 adoption of rules specified in subsection 2, certification is required of any commercial,
6 industrial, municipal, state or federal laboratory that analyzes water, soil, air, solid or
7 hazardous waste, or radiological samples for the use of programs of the department or the
8 Department of Environmental Protection, except as provided under chapter 411, the
9 Maine Medical Laboratory Act; Title 26, chapter 7, subchapter 3-A, Substance Use
10 Testing; and Title 29-A, section 2524, administration of tests to determine an alcohol
11 level or drug concentration.

12 A laboratory operated by a waste discharge facility licensed pursuant to Title 38, section
13 413 may analyze waste discharges for total suspended solids, settleable solids, biological
14 or biochemical oxygen demand, chemical oxygen demand, pH, chlorine residual, fecal
15 coliform, E. coli, enterococcus, conductivity, color, temperature and dissolved oxygen
16 without being certified under this section. The exception provided under this paragraph
17 applies to a laboratory testing its own samples for pollutants listed in its permit or license;
18 pretreatment samples; and samples from other wastewater treatment plants for up to 60
19 days per year. The time period provided in this paragraph, which is a maximum period
20 for each treatment plant for which analysis is provided, may be extended by
21 memorandum of agreement between the Department of Environmental Protection and the
22 Health and Environmental Testing Laboratory.

23 **SUMMARY**

24 This bill allows a laboratory operated by a licensed waste discharge facility to
25 analyze waste discharges for enterococcus without being certified by the Department of
26 Health and Human Services, Maine Center for Disease Control and Prevention for the use
27 of programs of the department or the Department of Environmental Protection.