

Muskie's Androscoggin: To B or not to B

The Androscoggin River was one of the Top Ten polluted rivers in the country in 1972 when our Senator from Rumford, Ed Muskie pushed through the Clean Water Act. The Lower River now is the Poster Child for the Clean Water Act with data showing that it has met Class B for the past 20 years 99% of the time. City Government, Industry and environmentalists have worked for 50 years to improve the River's quality. We are now petitioning the DEP and legislature to reclassify the River from the lowest class, C, up to Class B. This is directed by law:

38 M.R.S.A. 464 (F) (4)

*“When the **actual quality** of any classified water exceeds the minimum standards of the next highest classification, **that higher water quality must be maintained and protected**. The board **shall recommend** to the Legislature that the water be reclassified in the next higher classification.”*

The DEP has been collecting data through their volunteer program for the past 20 years and the data shows that the River meets Class B from the Gulf Island Dam in Lewiston down through Brunswick 99% of the time.

Here is the hitch. The DEP uses a Modeling program to predict pollution outcomes. The DEP includes all the effluent licenses on the River from industry, city storm water overflow and sewage treatment plants. The DEP says that they cannot recommend reclassification because the current licenses might result in higher pollution during some unknown seven days in their 10 year projection. This seems highly unlikely because city and industrial treatment plants have improved their technology .

The Maine Legislature sets classification, not the DEP. The cities and environmental groups on the Lower Androscoggin have petitioned the Environment and Natural Resources Committee, through Senator Ned Claxton of Auburn, to reclassify the section to Class B with LD 676. The bill is being discussed and open to public comments on May 3rd, at 9am. If approved in committee, it then goes to the Legislature for an up or down vote.

Why vote to give the River more credibility now? The Androscoggin's has been an industrial River for the past hundred and fifty years and sometimes used as an open sewer. Since Muskie's Clean Water Act passed in 1972, the River has cleaned up gradually. There is sport fishing, winter ice fishing, canoeing, kayaking and crew regattas. The cities on the River have claimed their Public Domain for walking paths and Riverside parks. Our quest for reclassification to Class B will help re-image the River as a Public Domain that we can all enjoy for generations to come.

We are optimistic that the Legislature will vote to fulfill Ed Muskie's dream of a clean Androscoggin and celebrate the 50th anniversary of the Clean Water Act with reclassification to Class B. The River meets class B and cannot be allowed to slip backwards.

DEP's own submission guidelines state:

“Maine's Water Quality classification System is **Goal Based**

When proposing an upgrade in classification, recommend waters that either presently attain or with reasonable application of improved treatment of Best Management Practices (BMPs), could reasonably be expected to attain, the standards and criteria of a higher proposed class”

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