

TOWN OF PALMYRA
SLUDGE, RESIDUE AND RESIDUAL ORDINANCE

ARTICLE I: Authority

This ordinance is adopted pursuant to Maine constitution Article VII, part, 30A MRSA 3001.

ARTICLE II; Findings and Purpose

The Town finds that sludge, residues, and residuals may contain concentrations of heavy metals, polychlorinated biphenyls and other substances which can be harmful to humans, animals aquatic life and the natural environment. The Town further finds that inadequate safe-guards exist at the present time to insure that wastewater treatment plant sludge does not contain substances which may prove harmful to humans animals, aquatic life, and the natural environment and that insufficient data exists to guarantee that human health and safety will not be adversely affected by the land spreading of sludge, residue and other residuals.

The purpose of this Ordinance is to protect the health and safety of the residents of Palmyra, to enhance and maintain the quality of the environment, and to conserve natural resources through prohibiting storage and land application of sludge, residue and other residuals.

ARTICLE III, Definitions

(A) "Person" includes individuals, partnerships, corporation and their agents and employees.

(B) "Sludge" means any solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or wet process air pollution control facility or any other such waste having similar characteristics and effect, but does not include industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended(86 Stat. 880). The term "sludge" does not include (nor does this ordinance seek to regulate) material of the same origin that has been treated and packaged for retail sale as garden fertilizer.

() "Residue" means all solid wastes remaining after treatment, incineration or processing (including, but not limited to, front ending waste, fly ash, bottom ash, air pollution control materials, combined incinerator ash, oil ash, coal ash, shredder residue, process residues and composting residues) that require disposal AND ARE NOT SUITABLE FOR CONTROLLED LAND APPLICATION. THESE RESTRICTIONS DO NOT INCLUDE UNTREATED WOOD ASH. The term "Residue" does not include (nor does this ordinance seek to regulate) material of the same origin that has been treated and packaged for retail sale as garden fertilizer.

(D) "Residual" means those materials (including but not limited to pulp and paper mill wastewater treatment plant sludge, food and fiber processing wastes, municipal wastewater and sludges and vegetable and fish processing residuals) generated from municipal, commercial or industrial facilities THAT ARE SUITABLE FOR CONTROLLED LAND APPLICATION and result in vegetative absorption, thinning or lessening the amount of the components in the material or improved soil condition. THESE RESTRICTIONS DO NOT INCLUDE UNTREATED WOOD ASH. The term "residual" does not include (nor does this ordinance seek to regulate) material of the same origin that has been treated and packaged for retail sale as garden fertilizer.

(E) "Shredder residue" means waste generated from the shredding of automobiles, white goods, and other scrap machinery.

ARTICLE IV: SLUDGE DISPOSAL

No person shall store, spread, or by any other means dispose of any sludge, residue or residual within the limits of the Town of Palmyra prior to obtaining a permit from the Planning Board.

ARTICLE V: PENALTIES

The municipal officers or authorized designee may exercise their authority under Title 30-A MRSA Section 4452 to petition the Court to enforce civil penalties of \$100.00 to \$2,500.00 per violation of this ordinance. The Court may order complete abatement of the violation and award appropriate damages and attorney's fees.

ARTICLE VI: EFFECTIVE DATE

This Ordinance shall be effective upon the date of its passage.