

CASTINE SOURCE WATER PROTECTION ORDINANCE



ENACTED BY THE TOWN IN MEETING ASSEMBLED

THE 4TH DAY OF APRIL 2009

(AND AS THEREAFTER AMENDED)

ATTEST: THIS IS A TRUE DOCUMENT. THE *SOURCE WATER PROTECTION ORDINANCE*, HAS BEEN IN EFFECT WITHOUT CHANGE FROM 4 APRIL 2009 TO THE DATE HEREOF, EXCEPT AS AMENDED THROUGH 4 APRIL 2009, AS SHOWN.

DATED: 4 APRIL 2009

SIGNATURE: _____

AFFIX SEAL

SUSAN M. MACOMBER
CASTINE TOWN CLERK

CASTINE SOURCE WATER PROTECTION ORDINANCE

1. **TITLE AND EFFECTIVE DATE:** This Ordinance shall be known as the "Castine Source Water Protection Ordinance". It shall become effective on the date of its adoption by the voters of the Town of Castine, Maine.
2. **AUTHORITY:** This Ordinance is adopted pursuant to Article VIII-A of the Maine Constitution, Title 30-A M.R.S.A. § 3001 and Title 22 M.R.S.A. § 2642.
3. **PURPOSE:** This Ordinance is adopted for the following purposes:
 - 3.1. To implement the relevant policies, guidelines and recommendations of the current Castine Comprehensive Plan;
 - 3.2. To ensure the present and future availability of a public potable water supply of adequate quality and quantity;
 - 3.3. To establish the Castine Source Water Protection Area (SWPA) encompassing the recharge area of the groundwater aquifer and the watershed of the surfacewater ponds, that supply the public drinking water; and
 - 3.4. To protect the public water supply by regulating activities within the SWPA that may jeopardize the quality and/or quantity of the public drinking water;
 - 3.5. To ensure the long-term availability of the public water supply to the customers served by the Castine Water Department.
4. **CASTINE SOURCE WATER PROTECTION AREA; APPLICABILITY:** This Ordinance applies to all property in the SWPA.
5. **RELATIONSHIP TO OTHER ORDINANCES:** Whenever a provision of this ordinance is inconsistent with another provision of this ordinance or any other ordinance, regulation, or statute, the more restrictive provision shall control.
6. **VALIDITY AND SEVERABILITY:** Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.
7. **PERMIT REQUIRED:** After the effective date of this Ordinance, no person shall engage in any activity identified in Section 10 without either an initial annual permit or renewal annual permit under this Ordinance.
8. **ADMINISTRATION:** The Code Enforcement Officer (CEO) shall administer and enforce this Ordinance. The CEO shall refer all permit applications required by this Ordinance to the Castine Utility Board who shall review and act upon these applications.
9. **ALLOWABLE ACTIVITIES WITHOUT A PERMIT:** The following activities are allowed within the SWPA without a permit:
 - 9.1. Zone 1 – Any activity related to the operations of the Castine Water Department.

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- 9.2. Zone 2 – Any activity not prohibited by Section 11 below and meeting the standards of Sections 12 and 13 below related to municipal operations such as road and facility maintenance and construction.
- 9.3. Zone 2 – Any activity not requiring a permit under Section 10 below or not prohibited by Section 11 below and meeting the standards of Sections 12 and 13 below.
- 9.4. Zone 2 – The following specific activities:
 - 9.4.1. Subsurface sewage disposal systems subject to Section 13 below, the design and maintenance schedule of which is reviewed and approved by the Local Plumbing Inspector (LPI).
 - 9.4.2. Forest management activities, and forest product harvesting, so long as harvest removes less than 40% of the canopy from any lot within a ten (10) year period.
 - 9.4.3. Creating impervious surfaces on any lot where the cumulative area of such surfaces does not exceed twenty percent (20%) of the lot area.
 - 9.4.4. Storage of not more than ten (10) gallons in the aggregate of petroleum products in portable containers with secondary containment.
 - 9.4.5. Storage of greater than ten (10) gallons of petroleum products in fixed containers subject to Section 13 below.
 - 9.4.6. Residential storage of pesticides and fertilizers in waterproof containers.
- 10. **ALLOWABLE ACTIVITIES WITH A PERMIT:** The following activities are allowed within the SWPA with the appropriate permit:
 - 10.1. Zone 1 – Any activity not related to the operations of the Castine Water Department.
 - 10.2. Zone 2 – Residential pesticide or fertilizer application by a third-party licensed applicator.
 - 10.3. Zone 2 – Non-residential pesticide or fertilizer application or storage.
 - 10.4. Zone 2 – Flooding or mining of land.
- 11. **PROHIBITED ACTIVITIES:** The following activities are prohibited within the SWPA:
 - 11.1. Automobile graveyards or the outdoor storage of more than three motor vehicles not in regular use.
 - 11.2. Underground storage tanks or containers for petroleum products or chemicals.
 - 11.3. Creating impervious surfaces on any lot where the cumulative area of such surfaces exceeds twenty percent (20%) of the lot area.
 - 11.4. Commercial activities involving the disposal of liquid or leachable wastes, except as are routinely permitted for disposal into the municipal sewage system.

- 11.5. Commercial waste impoundment or disposal.
 - 11.6. Uncovered waste storage.
 - 11.7. Commercial waste storage for a period exceeding thirty (30) days.
 - 11.8. Commercial manure or sludge storage or spreading.
 - 11.9. Hazardous materials storage.
 - 11.10. Uncovered sand and salt piles.
12. **GENERAL ACTIVITY STANDARDS:** All allowable activities within the SWPA shall be conducted in a manner that will not cause a material increased risk of contamination or decreased quantity of recharge to the aquifer and the public water supply ponds as established by the evidence related to the allowable activity. The Utility Board may be guided in making its determination by advice from professional consultants chosen by it, with the fees of such professional to be paid by the applicant, and by the advice contained in the manual of the Maine Department of Health and Human Services Drinking Water Program entitled *Best Management Practices for Groundwater Protection – A Guide for Local Officials and Public Water Suppliers*. (This publication is available at the Town Office and on the Town web site www.castine.me.us).
13. **SPECIFIC ACTIVITY STANDARDS:** Certain activities are allowed within the SWPA only when they comply with the following standards:
- 13.1. **Sanitary waste water disposal:** No activity shall dispose of other than normal domestic waste water on-site. No more than 900 gallons per day of sanitary waste shall be discharged to any one subsurface sewage disposal system. Septic tanks shall be pumped for routine maintenance at a frequency determined by the Local Plumbing Inspector (LPI) not exceeding every three (3) years. Pumping shall be observed by the LPI. Disposal of waste water shall be in compliance with the *Maine Subsurface Waste Water Disposal Rules* (CMR 10-144, Chapter 241, as amended).
 - 13.2. **Petroleum product storage – inside, above ground:** For inside above ground storage of petroleum for commercial or private use, tanks (including replacement tanks) installed after the effective date of this Ordinance in a fixed location must be designed to contain leaks, with either double-walled primary containers, or with a single walled tank set in a secure secondary container having a capacity of at least 110% of the capacity of the primary tank. Tanks must be installed in accordance with Maine Oil and Solid Fuel Board *Installation of Oil Burning Equipment* (CMR 02-381, Chapter 9, as amended). There shall be no floor drains into which leaking oil could drain in a building storing petroleum products for commercial use.
 - 13.3. **Petroleum product storage – outside, above ground:** For outside above ground storage of petroleum for commercial or private use, tanks (including replacement tanks) installed after the effective date of this Ordinance in a fixed location must be designed to contain leaks, with either double-walled primary containers, or with a single walled tank set in a secure secondary container having a capacity of at least 110% of the capacity of the primary tank. Tanks shall be enclosed to prevent accidental toppling and shall have a cover or roof to prevent filling of the secondary containment with rainwater and to prevent snow and ice from falling on the tank and

filter. Tanks must be installed in accordance with Maine Oil and Solid Fuel Board *Installation of Oil Burning Equipment* (CMR 02-381, Chapter 9, as amended).

14. PERMITTED ACTIVITY STANDARDS: Activities within the SWPA requiring a permit shall comply with the following standards as applicable:

14.1. Excavation or mining fill, sand, gravel or other minerals: The water table shall not be artificially lowered by ditches, trenches, pumping or other methods. Excavation shall not be allowed below five feet above the average seasonal high water without Site Plan Approval from the Planning Board following receipt of a variance from the Maine DEP for mining below the water table pursuant to Maine DEP *Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of Petroleum Products* (CMR 06-096, Chapter 378, as amended).

14.2. Non-residential application of pesticides and fertilizers: Prior to non-residential application of pesticides and fertilizers, the permit applicant shall develop and submit with the application an *Integrated Pest Management Plan* and a *Nutrient Management Plan* following Best Management Practices described in the publication entitled *Best Management Practices for the Application of Turf Pesticides and Fertilizers* of the Maine Department of Agriculture Board of Pesticides Control. (This publication is available at the Town Office and on the Town web site www.castine.me.us.)

Such plans shall incorporate:

- 14.2.1.** maps showing the location and types of turf to be treated and the frequency of treatment over the time period covered by the permit,
- 14.2.2.** label directions for any pesticides or fertilizers proposed for application,
- 14.2.3.** method(s) and location(s) of pesticide and fertilizer storage,
- 14.2.4.** pesticide applicator licenses,
- 14.2.5.** water insoluble and low-leachability options where available and a minimization of fertilizers and pesticide use,
- 14.2.6.** advance notice to the public of pesticide or fertilizer applications, such notice shall be accomplished by posting signs that meet the requirements of the Board of Pesticides Control's *Notification Provisions for Outdoor Pesticide Applications* (CMR 01-026, Chapter 28, §3, as amended) on the subject property at prominent locations that are visible to the public from public ways, and at the application site, and
- 14.2.7.** provisions for 24 hour advance notice of spray application of pesticides to all property owners abutting or within five-hundred (500) feet of the area to be sprayed.

The plans shall be submitted with the application and approved by the Utility Board. The Utility Board may request review and comment by the Maine Department of Agriculture Board of Pesticides Control and/or the Maine Department of Health and Human Services Drinking Water Program.

In addition to obtaining the appropriate permit, pesticides and fertilizer containing pesticides shall not be applied on any Town owned land unless such application is specifically approved by the Board of Selectmen at a public meeting.

14.3. Residential application of pesticides and fertilizers: Prior to residential application of pesticides and fertilizers by a third-party licensed applicator, the permit applicant

shall submit: with the application **a)** a list of the brand name and EPA registration number of all products to be applied, **b)** the anticipated quantity to be applied and **c)** the name and license number of the applicator.

14.4. Source Water Impact Analysis: For activities requiring a permit pursuant to Subsections 10.1, 10.3 and 10.4 above, the Utility Board may require the applicant to submit a Source Water Impact Analysis. The Utility Board expects the detail of the Analysis to vary according to the proposed activity and may require that any or all of the components of the Analysis be prepared by an appropriate registered/licensed professional, with the fees of such professional to be paid by the applicant. In the sole discretion of the Utility Board, the Analysis may contain any or all of the following components:

14.4.1. Maps showing any or all of: **a)** property boundaries, **b)** topography, **c)** soil types, **d)** surficial geology on the property, **e)** post-development recharge areas, **f)** the recommended sites for subsurface wastewater disposal systems and wells in the development; **g)** direction of groundwater flow and **h)** direction and routing of surface water flow.

14.4.2. Documentation of existing ground water quality for the site.

14.4.3. A nitrate analysis, or other contaminant analysis as applicable, including calculation of anticipated concentrations at the property line(s) and wells on the property.

14.4.4. An analysis of the effects of the proposed activity on the aquifer drawdown relative to the quantity and quality of water available for other water supplies or potential water supplies serving the Town or private parties.

14.4.5. The installation of, and sampling of water from, water quality monitoring wells in accordance with appropriate ASTM standards. The number, location and depth of monitoring wells shall be determined by the Utility Board. Water quality sample results from monitoring wells shall be submitted to the CEO. with evidence showing that they meet the Maine Department of Health and Human Services Drinking Water Program performance standards for water quality.

14.4.6. A list of assumptions made to produce the required information.

15. PERMITS: All initial permits and renewal permits issued under this Ordinance are issued pursuant to the following standards and are calendar year permits which expire on December 31 of the year issued.

15.1. Permit Application Procedure:

15.1.1. All applications for a permit shall be submitted in writing to the CEO on forms provided for the purpose.

15.1.2. All information contained in and attached to a permit application shall be true and correct. Any false information will invalidate a permit and stop all activities authorized by the permit.

15.1.3. Applications for an initial permit shall be accompanied by the information required by Section 14 above and such other information as may be reasonably required by the Utility Board to provide for the administration and enforcement of this Ordinance.

15.1.4. Applications for a renewal permit shall be accompanied by an annual report of activities and a written certification that all conditions of the initial permit have been met and that there are no substantive changes to the information presented in the application for the initial permit. If after reviewing the report and certification, the Utility Board determines the conditions of the initial permit and this Ordinance, as amended, have been met and there will be no substantive changes to the information presented in the application for the initial permit, it shall issue a renewal permit.

15.2. To Whom Issued: No permit shall be issued except to the owner of record or the owner of record's authorized agent with written proof of such authorization.

15.3. Compliance with Standards: All activities undertaken pursuant to a Permit issued under this Ordinance shall comply with all applicable standards of this Ordinance.

15.4. Deadline for Action: The Utility Board shall, within thirty (30) days of receipt of an application, meet to act on the application. Within thirty (30) days of this meeting, the Utility Board shall either issue a written decision or schedule a follow-up meeting. This deadline may be extended by mutual agreement of the Utility Board and the applicant, either in writing or orally, on the record at a public meeting. Failure of the Utility Board to act within thirty (30) days shall not constitute approval of the application.

15.5. Access to Site and Records: The CEO, the Utility Board and any consultant to the Utility Board shall have access to the site at any reasonable time, after notification to the applicant, while reviewing the permit application and shall have the authority to take photographs on site and to review all records and documents related to the activity. By making application for a Permit, the owner of record grants to the CEO, the Utility Board and any consultant to the Utility Board permission to enter upon the affected property and into any structures involved in the proposed activity, at any reasonable time, after notification, to review the proposed activity prior to issuing a Permit. By accepting a Permit, the owner of record grants to the CEO permission to review all records and documents related to the activity and permission to enter upon the affected property and into any structures involved in the proposed activity, at any reasonable time, to ensure compliance with the permit and applicable laws.

15.6. Professional Review: The Utility Board may require that an independent, registered or licensed professional or expert witness deemed fully qualified by the Utility Board, review one (1) or more submissions of an application and the choice of such professionals shall be at the sole discretion of the Utility Board. The independent consultant(s) shall report to the Utility Board as to the activity's compliance or non-compliance with the applicable provisions of this Ordinance and recommend, if appropriate, those actions which will result in compliance. The cost of such technical review shall be borne by the applicant. The consultant(s) selected shall estimate the cost of such review and the applicant shall pay the Town the full estimated cost. At the completion of the review, any balance due shall be paid to the Town or any balance remaining shall be returned to the applicant.

16. ENFORCEMENT; INSPECTION; PENALTIES & COSTS; CONSENT AGREEMENTS:

16.1. The Code Enforcement Officer (CEO) is hereby authorized to enter upon any property within the Source Water Protection Area at any reasonable time to inspect the

premises for compliance with the terms of this Ordinance and to investigate any violations.

- 16.2.** If the CEO shall find that any provision of the Ordinance is being violated, the CEO shall notify in writing the property owner and the person responsible for such violation, indicating the nature of the violation and ordering the action necessary and the time limit to correct it. A copy of such notices shall be submitted to the Utility Board and the Board of Selectmen and shall be maintained as a permanent record. Any such notice is not a prerequisite to bringing any legal action and the failure to give notice shall not in any way affect such legal action.
- 16.3.** The Board of Selectmen, upon notice from the CEO that the property owner and the person responsible for the violation has not resolved the violation within the time specified, shall institute any and all actions, and proceedings, either legal or equitable, including seeking injunctions against violators and the imposition of civil penalties, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Inhabitants of the Town of Castine.
- 16.4.** For each violation, the violator shall pay the civil penalty stated in Title 30-A M.R.S.A. § 4452(3), as it may be amended, and the violator shall pay the Town's attorney fees, expert witness fees and costs. The minimum penalty shall be \$100; the maximum penalty shall be \$2,500. Each day of violation constitutes a separate violation.
- 16.5.** The Castine Board of Selectmen is authorized to enter into administrative consent agreements with the owner of record, the owner of record's authorized agent or other violator for the purpose of resolving violations of this Ordinance and collecting civil penalties and/or fees without court action. An agreement may provide for a civil penalty that is less than the civil penalty called for in the statute.
- 17. APPEALS:** Except for a decision related to a violation of this ordinance, a party aggrieved by the decision of the Utility Board may appeal it to Superior Court within thirty (30) days from the date of the original decision pursuant to Maine Rules of Civil Procedure, Rule 80B.
- 18. DEFINITIONS:** For purposes of this Ordinance the following terms shall have the following definitions. If no term used in this Ordinance is so defined, its customary dictionary definition shall be applied:
- Agriculture:** The production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities or the construction, creation or maintenance of land management roads or home gardens.
- Animal Husbandry:** The raising of domestic animals or livestock for agricultural purposes.
- Aquifer:** A permeable geologic formation, either rock or sediment, that when saturated with groundwater is capable of transporting water through the formation.
- Automobile Graveyard:** An "automobile graveyard" as defined in Title 30-A M.R.S.A., § 3752 as amended.
- Best Management Practice:** Procedures designed to minimize the impact of certain

activities or land uses on groundwater quality and quantity, and shall include best management practices relating to groundwater quality as developed by the State of Maine departments of Agriculture, Forestry and Transportation pursuant to Title 38 M.R.S.A. Section 410-J, as amended.

Board: The Town of Castine Utility Board.

Castine Source Water Protection Area (SWPA): That portion of the Town of Castine beginning on the north line of Battle Avenue at the southwest corner of Lot 2, Tax Map 19; thence along the lot line northwesterly 558 feet to a corner of Lot 2, Tax Map 19; thence continuing along the same course to a point 2,100 feet north of Battle Avenue; thence northeasterly to the southwest corner of Lot 16, Tax Map 23; thence northeasterly to the northwest corner of Lot 17, Tax Map 23; thence northerly to the southwest corner of Lot 20, Tax Map 2; thence northeasterly to the northeast corner of Lot 20, Tax Map 2; thence northerly to the southwest corner of Lot 21, Tax Map 2; thence northeasterly to the northeast corner of Lot 21A, Tax Map 2; thence southerly along the west line of Castine Road to a point 300 feet north of Battle Avenue; thence easterly across Castine Road and along the north line of Windmill Hill Drive to the northwest corner of Lot 26, Tax Map 26; thence along the lot lines to the southeast corner of Lot 26, Tax Map 26; thence easterly to the northwest corner of Lot 5, Tax Map 26; thence along the west lot lines of Lots 5, 4, 3, 2 and 1, Tax Map 26 to Court Street; thence southerly across Court Street and along the west line of Spring Street to a point 450 feet south of Court Street; thence southwesterly to the southwest corner of Lot 5, Tax Map 25; thence westerly to the southwest corner of Lot 26A, Tax Map 24; thence westerly to a point on the north line of Battle Avenue 900 feet from Castine Road; thence along the north line of Battle Avenue to the point of beginning, and that is identified on the official Source Water Protection Area Map, which is attached hereto and incorporated into this Ordinance.

Castine Source Water Protection Area (SWPA) Zone 1: All land in the SWPA lying within a circle of 300 foot radius around each water supply well.

Castine Source Water Protection Area (SWPA) Zone 2: All remaining land within the SWPA.

Chemical Bulk Storage: Storage of a chemical or chemicals in a container or containers larger than those intended for normal homeowner or retailer purposes. Proper, non-commercial, homeowner use of chemicals is not included.

Code Enforcement Officer (CEO): A person appointed by the Town Manager and confirmed by the Board of selectmen to administer and enforce this Ordinance.

Drinking Water Standards, Primary and Secondary: Standards for drinking water as stated in the State of Maine Rules Relating to Drinking Water, Maine Department of Human Services.

Fertilizer: A substance containing one or more recognized plant nutrients that is used for its plant nutrient content and designed for use or claimed to have value in promoting plant growth. "Fertilizer" does not include animal and vegetable manures that are not manipulated, marl, lime, limestone or topsoil.

Floor Drain: An opening in the floor that leads to the ground. Work sinks which lead to

such drains are included.

Fuel Oil Distributor, Fuel Oil Storage: The storage of fuel for distribution or sale. Storage of fuel oil not for domestic use, i.e., not in tanks directly connected to burners.

Ground Water: The water contained within the interconnected pores, cracks or fractures located below the water table of a confined or unconfined aquifer.

Hazardous Material: Any gaseous, liquid or solid materials or substances designated as hazardous by the Environmental Protection Agency and/or the Maine Department of Environmental Protection.

Impervious Surface: Surfaces which do not absorb water, included but not limited to, all buildings, parking areas, driveways, roads, sidewalks and any areas of concrete or asphalt. In the case of lumber yards, areas of stored lumber constitute impervious surfaces.

Integrated Pest Management (IPM): Integrated Pest Management (IPM) is the coordinated use of physical, biological and cultural controls and least-toxic pest control products and techniques to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard to people, property and the environment. Integrated Pest Management involves the monitoring of pest populations, establishment of injury levels, modification of habitats (to eliminate sources of food, water, harborage and entry), utilization of least-toxic controls, and keeping of records and evaluation of performance on an ongoing basis.

Local Plumbing Inspector (LPI): A person appointed by the Town Manager and confirmed by the Board of Selectmen to enforce the Maine Internal Plumbing Rules and the Maine Subsurface Wastewater Disposal Rules.

Mining or Mineral Extraction: Any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site.

Nutrient Management Plan: A written document that outlines how nutrients including, but not limited to, compost as fertilizer and commercially manufactured chemical fertilizers, are stored, managed and utilized on the property for which the plan is written.

Owner: An individual, a corporation, governmental agency, municipality, trust, estate, partnership association, two or more individuals having a joint or common interest, or other legal entity having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land located in the Source Water Protection Area.

Pesticide: Any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pests, and any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

Pesticide, Bulk Storage: Storage of pesticides intended for sale, for application on commercial premises or for application on cash crops. Homeowner storage or storage by non-commercial gardeners is not included.

Public Water Supply: Water supplied to customers by the Castine Water Department

through public waterlines or private waterlines where there is a right of access.

Public Water Supply System: The existing plant, wells, ponds, pipelines, facilities, and accessories thereto, owned by the Town of Castine and managed by the Castine Water Department, as well as any replacements or extensions thereof.

Road: A thoroughfare or way consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

Salt and Salt Piles (uncovered): A mixture of salt and sand or salt stored for winter road and yard maintenance (without a roof or other structure capable of preventing precipitation from reaching the salt/sand mixture or salt).

Sludge: Residual material produced by water or sewer treatment processes, industrial processes, or domestic septic tanks.

Solid Waste: Discarded solid material with insufficient liquid content to be free flowing. This includes but is not limited to rubbish, garbage, scrap materials, junk, refuse, inert fill materials and landscape refuse.

Spill Prevention Control and Countermeasure Plan (SPCC): A plan as described in 40CFR, Part 112 of Federal Oil Pollution Prevention Regulations.

Stormwater Drainage: A sewer or other system for conveying surface runoff due to storm events and unpolluted ground or surface water, including that collected by cellar drains, but excluding sanitary sewage and industrial waste.

Stormwater Impoundment: Any structure designed and constructed to contain stormwater runoff.

Subsurface Wastewater Disposal System: Any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields; grandfathered cesspools; holding tanks; and pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under Title 38 M.R.S.A. § 414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system.

Underground Storage Tank: As defined by State of Maine regulations published by the Maine Department of Environmental Protection.

Wastewater: Any combination of water-carried wastes from institutional, commercial and industrial establishments, and residences, together with any storm, surface or groundwater as may be present.

Wastewater Treatment Plant: Any arrangement of devices and structures used for treating wastewater.

Watershed: Land lying adjacent to water courses and surface water bodies which creates the catchment or drainage area of such water courses and bodies; the watershed boundary

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is determined by connecting topographic high points surrounding such catchment or drainage areas.

Wellhead: The specific location of a well and/or any structure built over or extending from a well.

Well, Abandoned: A shaft, casing, tile, hole, or pipe placed, drilled, or dug in the ground for the extraction or monitoring of groundwater that has not been used for a period to two consecutive years.

Well, Existing or New: A shaft, casing, tile, hole, or pipe placed, drilled, or dug in the ground for extraction or monitoring of groundwater.

Zone of Contribution: The area from which groundwater flows to a pumping well.

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