

§2177. Water supply monitoring and protection

Upon written request from persons owning land contiguous to a solid waste disposal facility, the bureau shall have quarterly sampling and analysis conducted of private water supplies used by the requestors for drinking water. The sampling and analysis must be conducted in a manner specified by and that meets criteria developed by the department. [PL 2011, c. 655, Pt. GG, §60 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

If a facility adversely affects a public or private water supply by pollution, degradation, diminution or other means that result in a violation of the state drinking water standards as determined by the commissioner, the bureau shall restore the affected supply at no cost to the consumer or replace the affected supply with an alternative source of water that is of like quantity and quality to the original supply at no cost to the consumer. [PL 2011, c. 655, Pt. GG, §60 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

1. Extent of analysis. Water supplies must be analyzed for all parameters or chemical constituents determined by the commissioner to be indicative of typical contamination from solid waste disposal facilities. The laboratory performing the sampling and analysis shall provide written copies of sample results to the bureau, the landowner and to the commissioner.

[PL 2011, c. 655, Pt. GG, §60 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

2. Additional sampling required. If the analysis indicates possible contamination from a solid waste disposal facility, the commissioner shall conduct, or require the bureau to conduct, additional sampling and analysis to determine more precisely the nature, extent and source of contamination. The commissioner shall, if necessary, require this sampling beyond the boundaries of the contiguous property.

[PL 2011, c. 655, Pt. GG, §60 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

3. Written notice of rights. On or before December 1, 1989, for permits issued under this chapter prior to October 1, 1989, and at or before the time of permit issuance for permits issued under this chapter after October 1, 1989, the bureau shall provide owners of contiguous land with written notice of their rights under this section on a form prepared by the commissioner.

[PL 2011, c. 655, Pt. GG, §60 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

SECTION HISTORY

PL 1989, c. 585, §A7 (NEW). PL 1989, c. 890, §§A40,B293 (AMD). PL 1991, c. 517, §B14 (AMD). PL 1993, c. 310, §B12 (AMD). PL 1995, c. 656, §A57 (AMD). PL 2011, c. 655, Pt. GG, §60 (AMD). PL 2011, c. 655, Pt. GG, §70 (AFF).

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