

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
S.P. 641 - L.D. 1604

An Act to Protect Groundwater and Surface Waters from Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill Leachate

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

Sec. 1. 38 MRSA §413, sub-§13 is enacted to read:

13. Landfill leachate; reporting. Notwithstanding section 414-A or any other provision of law to the contrary, a person licensed by the department to discharge wastewater to groundwater or any waters of the State shall maintain a record of and annually report to the department in a manner determined by the department regarding the origin, volume and final disposition of leachate collected from a solid waste landfill delivered to or otherwise accepted by the licensee for treatment or other management.

Sec. 2. 38 MRSA §1303-C, sub-§19-F is enacted to read:

19-F. Perfluoroalkyl and polyfluoroalkyl substances. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in section 1614, subsection 1, paragraph F.

Sec. 3. 38 MRSA §1310-N, sub-§10-A is enacted to read:

10-A. Testing of landfill leachate for perfluoroalkyl and polyfluoroalkyl substances. In accordance with a schedule approved by the department, a solid waste landfill that collects and manages leachate shall integrate into the landfill's department-approved water quality monitoring plan the sampling and analysis of leachate for perfluoroalkyl and polyfluoroalkyl substances. A solid waste landfill shall provide the results from leachate testing conducted pursuant to this subsection to the department in accordance with the landfill's department-approved water quality monitoring plan and as part of the landfill's annual report. On an annual basis, the department shall make results from leachate testing conducted by solid waste landfills pursuant to this subsection available on its publicly accessible website.

Sec. 4. 38 MRSA §1310-N, sub-§10-B is enacted to read:

10-B. Testing of private water supplies for perfluoroalkyl and polyfluoroalkyl substances. Upon written request to the department from the owner of a property abutting

a solid waste landfill that collects and manages leachate, the department shall require the landfill to conduct a one-time sampling and analysis for perfluoroalkyl and polyfluoroalkyl substances of a private water supply well used by the owner for drinking water purposes. If the analysis indicates possible perfluoroalkyl and polyfluoroalkyl substances contamination of the private water supply well from the solid waste landfill, the department shall require the solid waste landfill to conduct additional sampling and analysis of the private water supply well for perfluoroalkyl and polyfluoroalkyl substances in a manner directed by the department. For purposes of this subsection, a property is considered to be abutting a solid waste landfill if the property is contiguous to property on which the landfill is located, including directly across a public or private right-of-way from the landfill, and is located within one mile of property on which the landfill is located.

A. Sampling and analysis for perfluoroalkyl and polyfluoroalkyl substances pursuant to this subsection must be conducted in accordance with procedures outlined in the solid waste landfill's department-approved water quality monitoring plan.

B. The laboratory performing the sampling and analysis pursuant to this subsection shall provide written copies of the results to the solid waste landfill, the property owner and the department.