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Date: (Filing No. H-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1430, L.D. 2115, “An Act to Protect Private Wells from Hazardous Substances”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 38 MRSA §424-D is enacted to read:

§424-D. Well Contamination Response Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Fund" means the Well Contamination Response Fund established in subsection 2.
- B. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in section 1614, subsection 1, paragraph F.
- C. "Private drinking water well" has the same meaning as in section 1392, subsection 8.

2. Well Contamination Response Fund established. The Well Contamination Response Fund is established within the department as a nonlapsing, revolving fund for the purposes described in subsection 3. The fund may accept revenue from any source, public or private, that may be available for carrying out the purposes of the fund. The department shall deposit with the Treasurer of State to the credit of the fund money in the fund not currently needed by the department to carry out the purposes of the fund, which may be invested as provided by law. Interest earned on investment of money under this subsection must be credited to the fund.

3. Uses of fund. Money within the fund may be used by the department:

- A. To investigate, sample or monitor PFAS contamination in soil and groundwater, including in private drinking water wells, at locations associated with a source or suspected source of PFAS contamination, as determined by the department.

COMMITTEE AMENDMENT

1 (1) Sampling conducted through the fund may include, but is not limited to,
2 sampling of private drinking water wells for potability as part of an initial
3 investigation of PFAS contamination.

4 (2) As used in this paragraph, "location associated with a source or suspected
5 source of PFAS contamination" means a location with a high assurance of PFAS
6 contamination impacts, as determined by the department, including a licensed or
7 previously licensed sludge or septage land application site or a location subject to
8 remediation activities for PFAS contamination, but does not include a location
9 where the source or suspected source of PFAS contamination, as determined by
10 the department, is a homeowner's private septic system or other private household
11 activities;

12 B. To abate, remediate or mitigate identified PFAS contamination in soil or
13 groundwater, including in private drinking water wells, to ensure access to safe
14 drinking water through the installation and maintenance of filter treatment systems,
15 connection to local water district networks, temporary provision of bottled drinking
16 water or other appropriate actions as determined by the department.

17 (1) Except as provided in subparagraph (2), use of money within the fund for the
18 abatement, remediation or mitigation of PFAS contamination in private drinking
19 water wells, including for the payment or reimbursement of the costs of private
20 drinking water well testing for PFAS contamination, is limited to private drinking
21 water wells in which testing demonstrates a level of PFAS contamination in excess
22 of 20 parts per trillion for the sum of the following 6 perfluoroalkyl and
23 polyfluoroalkyl substances: perfluorooctanoic acid, perfluorooctane sulfonic acid,
24 perfluorohexane sulfonic acid, perfluorononanoic acid, perfluoroheptanoic acid
25 and perfluorodecanoic acid.

26 (2) If the department determines that additional money within the fund is available
27 for the abatement, remediation or mitigation of identified PFAS contamination in
28 private drinking water wells in which testing demonstrates a level of PFAS
29 contamination of 20 parts per trillion or less for the sum of the 6 perfluoroalkyl and
30 polyfluoroalkyl substances identified in subparagraph (1), the department may use
31 that additional money to support abatement, remediation or mitigation activities
32 for those private drinking water wells; and

33 C. To cover the department's costs incurred in administering the fund, including, but
34 not limited to, staffing costs.

35 **4. Report.** Beginning January 15, 2027, and every 2 years thereafter, the department
36 shall submit a report to the joint standing committee of the Legislature having jurisdiction
37 over environment and natural resources matters regarding the uses of the fund and any
38 proposed changes to the limitations in the uses of the fund and a summary of PFAS
39 contamination identified as a result of activities undertaken through the fund. After
40 reviewing the report, the joint standing committee may report out legislation related to the
41 report. The report under this subsection may be included in the report required pursuant to
42 section 1310-B-1, subsection 2, paragraph C.

43 **5. Rules.** The department may adopt rules necessary for the administration of the fund
44 and for any underlying program or purpose under or funded by the fund. Rules adopted

1 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
2 subchapter 2-A.

3 **Sec. 2. Appropriations and allocations.** The following appropriations and
4 allocations are made.

5 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**
6 **Well Contamination Response Fund N560**

7 Initiative: Provides ongoing funding for the investigation, sampling, monitoring,
8 abatement, remediation or mitigation of perfluoroalkyl and polyfluoroalkyl substances
9 contamination in soil and groundwater, including in private drinking water wells.

10	GENERAL FUND	2025-26	2026-27
11	All Other	\$0	\$1,000,000
12			
13	GENERAL FUND TOTAL	\$0	\$1,000,000

14 '

15 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
16 number to read consecutively.

17 **SUMMARY**

18 This amendment, which is the majority report of the committee, replaces the bill. It
19 establishes the Well Contamination Response Fund within the Department of
20 Environmental Protection and capitalizes that fund with an ongoing General Fund
21 appropriation of \$1,000,000 beginning in fiscal year 2026-27. Money in that fund may be
22 used by the department for the investigation, sampling, monitoring, abatement, remediation
23 or mitigation of perfluoroalkyl and polyfluoroalkyl substances, or PFAS, contamination in
24 soil and groundwater, including in private drinking water wells and prioritized for those
25 wells in which testing demonstrates a level of PFAS contamination in excess of 20 parts
26 per trillion for the sum of 6 PFAS contaminants.

27 **FISCAL NOTE REQUIRED**
28 **(See attached)**