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ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 641, L.D. 1604, “An Act to Protect Groundwater and Surface Waters from Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill Leachate”

Amend the bill by striking out all of section 2.

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 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.'

Amend the bill by striking out all of section 5 and inserting the following:

'Sec. 5. 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

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1 directed by the department. For purposes of this subsection, a property is considered to be
2 abutting a solid waste landfill if the property is contiguous to property on which the landfill
3 is located, including directly across a public or private right-of-way from the landfill, and
4 is located within one mile of property on which the landfill is located.

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

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

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

13 SUMMARY

14 This amendment, which is the majority report of the committee, amends the bill to
15 remove the provision prohibiting, beginning June 1, 2026, a licensed wastewater discharger
16 from discharging any wastewater containing leachate collected from a solid waste landfill
17 unless the effluent discharged satisfies limits adopted by the Department of Environmental
18 Protection by rule regarding the amount of perfluoroalkyl and polyfluoroalkyl substances
19 in effluent discharges. The amendment also makes clarifying changes to the provision of
20 the bill requiring a solid waste landfill to test landfill leachate for perfluoroalkyl and
21 polyfluoroalkyl substances and to the provision of the bill requiring a solid waste landfill
22 to test a private water supply well for perfluoroalkyl and polyfluoroalkyl substances if
23 directed by the department upon the request of an abutting property owner.

24 FISCAL NOTE REQUIRED

25 (See attached)