

STATE OF MAINE

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

—
H.P. 322 - L.D. 493

**An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances
to Private Drinking Water Wells**

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

Sec. 1. 22 MRSA §2601, sub-§5-A is enacted to read:

5-A. Perfluoroalkyl and polyfluoroalkyl substances. "Perfluoroalkyl and polyfluoroalkyl substances" has the same meaning as in Title 32, section 1732, subsection 5-A.

Sec. 2. 22 MRSA §2660-T, as enacted by PL 2017, c. 230, §3, is amended to read:

§2660-T. Uniform testing recommendation; specified contaminants and properties

The department shall develop a uniform recommendation for the testing for specific contaminants or properties for which residential private drinking water wells should periodically be tested. The uniform recommendation must specify contaminants or properties that should be included in the periodic testing, including but not limited to arsenic, bacteria, nitrates, nitrites, chloride, hardness, copper, iron, pH, sodium, lead, uranium, manganese, fluoride, perfluoroalkyl and polyfluoroalkyl substances and radon, unless the department determines that testing for a contaminant or property listed in this section is not necessary based on previous test results or credible scientific evidence. The department or an entity that provides testing of or provides education or advertisements related to testing of a residential private drinking water well shall include the uniform recommendation developed by the department pursuant to this section in its written materials related to testing of a residential private drinking water well.

Sec. 3. 22 MRSA §2660-Y, as enacted by PL 2021, c. 483, Pt. BB, §7, is amended to read:

§2660-Y. Landlord arsenic well water testing

Beginning January 1, 2022 and every 5 years thereafter, a landlord of a residential building shall test the water for arsenic and other contaminants or properties specified pursuant to section 2660-T in each private drinking water well used to provide water to a tenant of the landlord. The landlord shall conduct testing under this section through a

laboratory certified or accredited pursuant to section 567 and shall, within 10 days of notification of the results, provide to each of the landlord's tenants the results of any test conducted under this section of the private drinking water well used to provide water to the tenant. The landlord shall, within 10 days of notification of the results, notify any new tenant of the most recent results of a test conducted under this section on a private drinking water well that will be used to provide water to the tenant.

Sec. 4. 33 MRSA §173, sub-§1, ¶E, as enacted by PL 1999, c. 476, §1, is amended to read:

E. Whether the seller has experienced a problem such as an unsatisfactory water test ~~or~~ a water test with notations or a water test that detects perfluoroalkyl and polyfluoroalkyl substances as defined in Title 32, section 1732, subsection 5-A;

Sec. 5. Residential testing for perfluoroalkyl and polyfluoroalkyl substances. No later than January 1, 2027, a landlord of a residential building with a water supply provided by a private drinking water well shall test the well water for perfluoroalkyl and polyfluoroalkyl substances. The landlord shall conduct testing under this section through a laboratory certified or accredited pursuant to the Maine Revised Statutes, Title 22, section 567 using the most recent analytical methods approved by the United States Environmental Protection Agency that quantifies the maximum amount of perfluoroalkyl and polyfluoroalkyl substances detected by the test. For purposes of this section, "perfluoroalkyl and polyfluoroalkyl substances" has the same meaning as in Title 32, section 1732, subsection 5-A.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Maine Center for Disease Control and Prevention 0143**

Initiative: Provides one-time funding for the creation of brochures adding perfluoroalkyl and polyfluoroalkyl substances to the uniform recommendation for testing private drinking water wells.

GENERAL FUND	2025-26	2026-27
All Other	\$0	\$16,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$16,000</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one Environmental Specialist III position to implement rulemaking, outreach and education related to well water testing requirements for landlords and provides funding for related All Other costs.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$99,621
All Other	\$0	\$7,256
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$106,877</u>

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2025-26	2026-27
GENERAL FUND	\$0	\$122,877
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$122,877