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4/22/2025

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 493 – *An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information neither for nor against *LD 493, An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells*.

LD 493 expands the existing requirement for landlords of residential buildings supplied by private drinking water wells to conduct water testing. Currently, landlords must test for arsenic (Public Law 2021, c. 483); under this bill, they would also be required to test for perfluoroalkyl and polyfluoroalkyl substances (PFAS) and all other contaminants specified in § 2660-T. Additionally, for residential properties using a private water supply, this bill mandates that sellers must disclose any water test results indicating the presence of PFAS. The bill also adds PFAS to the list of contaminants in the Department of Health and Human Services (the Department) uniform testing recommendations for private drinking water wells.

Maine Center of Disease Control and Prevention (Maine CDC) is neither for nor against this bill and offers the following comments for your consideration.

Adding PFAS to the list of contaminants in the Department's uniform testing recommendations for private drinking water wells implies that all private wells should be tested for PFAS at a cost of \$285 to \$450. At this time, Maine CDC does not have a reliable estimate of the occurrence of PFAS in private well water wells that are not subject to targeted testing due to the potential presence of a source of PFAS. About 17 percent of regulated childcare facilities have been found to have either PFOS or PFOA water levels above the new federal drinking water standard of four parts per trillion (ppt); 8 percent above Maine's current interim drinking water standard of 20 ppt. Whether this occurrence is a reasonable estimate for private residential wells is not known. Wells can experience variation in their PFAS levels over time, and recommendations have yet to be developed for the appropriate testing frequency of private wells in consideration of this variation.

As the Committee considers the proposed legislation, Maine CDC and colleagues at Maine's Department of Environmental Protection (DEP) could provide additional information on the ongoing initiatives to test thousands of private wells located in close proximity to known or suspected sources of PFAS, including biosolids and septage land application sites as well as certain remediation type sites; educating private well owners on how to self-test for PFAS should they so desire; progress on building laboratory analytical capacity to measure PFAS in private well water samples, and a possible project to investigate the reliability of a lower cost commercially available water test for PFAS.

The DEP is providing leadership on several of these fronts, and information for private well owners is available on their website¹. The DEP also may provide varying levels of assistance when private well owners self-test and find PFAS levels of 90 parts per trillion or higher, and a link to this program is included below as well.

In conclusion, Maine CDC is neither for nor against LD 493. If this bill passes as written, additional resources will be required to update and reprint materials with the modified uniform testing requirements. Additionally, having experience with PL 2021, c. 483 and the challenge of implementing additional required testing without funds being allocated, Maine CDC notes for the Committee's consideration, additional resources will be needed if the Department is to engage in education and outreach to landlords, rulemaking, and/or administration of fines for noncompliance with the statutory requirement to test wells for PFAS and meet the proposed compliance deadline of January 1, 2026.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,



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Director
Maine Center for Disease Control
Maine Department of Health and Human Services

¹ Maine DEP: <https://www.maine.gov/dep/spills/topics/pfas/index.html>