Janet T. Mills
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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 1550 – *Resolve, Directing the Department of Health and Human Services to Amend Its Rules to Protect Water Quality by Reducing Nutrient Pollution from Septic Systems*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information in opposition to LD 1550, *Resolve, Directing the Department of Health and Human Services to Amend Its Rules to Protect Water Quality by Reducing Nutrient Pollution from Septic Systems.*

This resolve directs the Department to amend its rule governing subsurface wastewater disposal by modifying disposal field design standards to address potential short circuiting of septic tank effluent in areas of high risk for nutrient loading due to high permeability geology. The intent is to protect sensitive receptors such as drinking water wells and surface water bodies by ensuring that biological and nutrient contaminants in wastewater effluent receive optimal treatment as they pass through the underlying material. If enacted, these provisions will result in additional homeowner/customer cost for engineering and construction of wastewater disposal systems located in areas of shallow and/or highly conductive soils.

While the Maine Center for Disease Control and Prevention - Drinking Water Program (DWP) is supportive of resource protection from potential improperly treated effluent, the DWP is not aware of specific examples of short-circuiting that would justify the provisions of this bill, which will add complexity to rule interpretation and create significant complications for site evaluators and installers.

The current provisions of 10-144 CMR Ch. 241, Subsurface Wastewater Disposal Rule, require the addition of a low permeability layer above highly conductive soils. This should be sufficient to prevent short-circuiting and is currently being successfully implemented by both the site evaluators designing systems, and the installation contractors. In the case of new installation of wastewater systems in vulnerable areas, site evaluators can utilize existing provisions to make site-specific protective design modifications.

In conclusion, the Maine CDC supports protection of surface water and groundwater receptors from improperly treated wastewater disposal system effluent, but there is concern that implementation of this bill if passed will be too burdensome for designers and installers to use effectively, since there is not sufficient evidence that these additional provisions are justified. Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

Puthiery Va, DO
Director
Maine Center for Disease Control and Prevention
Maine Department of Health and Human Services