



April 25 2025

Senator Tepler, Chair
Representative Duedera, Chair
Members of the Environment and Natural Resources Committee

Subject: Opposition to LD 1604 - An Act to Protect Groundwater and Surface Waters from Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill Leachate

Dear Senator Tepler, Representative Duedera, and Members of the Environment and Natural Resources Committee:

The Portland Water District (PWD or the “District”) is a quasi-municipal utility created by private and special law of the State Legislature in 1908 to provide water to the people of greater Portland. Today, PWD provides drinking water to over 200,000 people in 11 Cumberland County communities, and wastewater treatment services to six of those communities. The affairs of PWD are managed by a Board of Trustees composed of 11 members, all popularly elected by a plurality of the voters from the communities they represent. We do not have shareholders that profit from our activities, and therefore our sole interest is meeting the needs of our customers.

PWD has four wastewater treatment facilities and is constructing another treatment facility to serve the North Windham area. The discharge from these treatment facilities is permitted and regulated by the Maine Department of Environmental Protection (DEP). The communities rely on these facilities to protect public health and the environment, and to enable economic growth and development.

LD 1604 seeks to identify and treat PFAS from landfills by imposing limits on treatment facilities that accept leachate. Often, landfills and wastewater treatment plants have a symbiotic and beneficial relationship with landfills accepting and managing treatment plant residuals while treatment plants accept and treat leachate. This bill could frustrate this relationship.

The licensing of treatment plant discharges is already heavily regulated and managed by the Maine DEP. Strict rules and regulations guide the discharge licensing process. The longstanding process relies on a careful assessment that includes water quality designation, scientific analysis, and public notice with the opportunity for extensive public comments and input. In fact, the Environmental Protection Agency has established PFAS Aquatic Life Ambient Water Quality Standards and has issued draft Human Health Ambient Water Quality Standards. Once finalized, these standards can be used by the Maine Department of Environmental Protection to establish limits for treatment plants and ultimately landfill leachate. With this decades-old and established process currently underway, the need for legislative intervention should be carefully considered.

LD 1604 will unnecessarily bypass the regulatory process that is already underway. The implications of LD 1604, as written, could be far-reaching and could have significant unintended consequences, including reduced opportunities for treatment of landfill leachate for existing pollutants. The well vetted regulatory process should be considered in determining if legislative intervention is truly needed.

For these reasons, we urge you to vote Ought Not to Pass on LD 1604.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Scott Firmin", with a long horizontal line extending from the end of the signature.

Scott Firmin, P.E.
Director of Wastewater Services
April 25, 2025