



Testimony in Opposition to L.D. 1604; “An Act to Protect Groundwater and Surface Waters from Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill Leachate”

By
Mark Draper, Solid Waste Director
Aroostook Waste Solutions
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Senator Tepler, Representative Doudera, and members of the Committee on the Environment and Natural Resources, thank you for the opportunity to testify today in opposition to L.D. 1604. Aroostook Waste Solutions (“AWS”) is a not-for-profit corporation owned by the municipalities of Fort Fairfield, Limestone, Caribou, and Presque Isle and provides for solid waste disposal for approximately 70% of the Aroostook County population, and operates a drop-off, source-separated recycling program for 14 communities. AWS owns two (2) small landfills – the Tri-Community Landfill in Fort Fairfield; and the Presque Isle Landfill in Presque Isle, the operation of which has currently ceased.

AWS strongly opposes L.D. 1604, not because we are not aware or concerned about PFAS in the landfill leachate, but rather because the provisions put forth in the bill either duplicate work that has already been completed; are entirely not feasible; or bypass the planned work of the Federal and State environmental agencies tasked with addressing this issue. More specifically,

- The bill requires quarterly testing of leachate for PFAS substances and to submit the results of that testing annually. I would note that previous legislation required all landfills in Maine to sample and analyze leachate for five (5) semi-annual sampling rounds, and to report that data to the Department. AWS completed that sampling and analysis for both of its' landfills. As expected, the results of that sampling effort indicated the presence of PFAS compounds. This is not surprising because these compounds exist in a great many common household products that eventually find their way to a landfill. Furthermore, I would note that the results were very consistent between sites, and between sampling rounds. Additional sampling and analysis will simply confirm what we already know, but at significant additional cost.
- The bill also requires, if requested, testing of private drinking water wells for PFAS compounds if the well is located on property abutting a landfill property. Presumably, this would be required regardless of the proximity to the landfill, or the hydrogeological conditions existing at the site that may make any impact impossible. It appears to also presume that any PFAS found in that private drinking water well would have originated from the landfill facility, when perhaps several other sources – particularly the private well owners own on-site septic system, could be the likely source.
- Of most significant concern, however is the requirement that the Department adopt rules establishing limits on the amount of PFAS compounds in discharged effluent by June 1, 2026. This requirement bypasses entirely the process by which these standards should, and likely will, be set by the Department of Environmental Protection. A process whereby ambient water quality standards will be set, then licensed discharge limits for waste water treatment plants will be established based on those ambient standards. The wastewater treatment plant would then evaluate compliance with those limits and determine, what, if any changes to the process would need to be made, or what pre-treatment of specific waste water streams (such as landfill leachate) are required. That process would be data-driven, risk-based, and logical. This particular provision of the bill also completely ignores the fact that treatment technologies to remove PFAS

compounds from waste water are not yet mature enough to be implemented on any sort of commercial scale – even if they were affordable, which they are not.

In summary, the State of Maine generally, and the Maine Department of Environmental Protection specifically, are in many ways leading the nation on the PFAS issue. The Department has developed a **well-thought-out, prioritized** plan for identifying, assessing and addressing PFAS contamination in Maine, and we believe they should be given the opportunity to continue their work toward that end.

Thank you for your time and attention.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Mark Draper', with a stylized flourish at the end.

Mark Draper, Solid Waste Director