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Testimony of Representative Laurie Osher presenting
**LD 493, An Act to Expand Testing for Perfluoroalkyl and
Polyfluoroalkyl Substances to Private Drinking Water Wells**
Before the Joint Standing Committee on Health and Human Services

Senator Ingwersen, Representative Meyer and esteemed members of the Health and Human Services Committee, I am Laurie Osher, and I represent District 25, the majority of Orono. Thank you for the opportunity to present **LD 493, An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells**.

This bill is a resubmission of LD 1488 from the 131st Legislature. That bill was voted Ought to Pass as Amended by the House and Senate but died on the Special Appropriations Table at the end of the session.

Perfluoroalkyl and polyfluoroalkyl substances, commonly known as PFAS or "forever chemicals," are used in thousands of everyday products and manufacturing processes. They accumulate in our wastewater and can contaminate the land and groundwater from a variety of sources. Maine has been a leader in combating PFAS, but we still have work to do.

Mainers who rely on residential wells for their drinking water are particularly at risk for PFAS-exposure. That is because residential wells are not regulated under the Safe Drinking Water Act like public water supplies are. This bill addresses that issue.

LD 493 will require landlords to test their wells for PFAS and other contaminants, to disclose that information to tenants, both new and existing, and to repeat the testing every five years to have the most up-to-date information. Additionally, it will require those looking to sell their homes to disclose if their residential wells have been tested for the presence of PFAS. This bill will ensure that tenants and future homeowners know what is in their drinking water and protect them from unknowingly exposing themselves and their families to dangerous chemicals.

This will help a significant number of Mainers. Maine is one of the most rural states in the country, and over 50% of our residents rely on private wells for their drinking water, a figure which includes 29% of renters. They all deserve to know what is in their drinking water so they can protect themselves and their families from contaminants.

Landlords are currently required to test for arsenic in wells that provide drinking water and share the test results with the tenants within 10 days of being notified of the results. LD 493 builds upon this by requiring residential landlords that have residential drinking water wells to test the wells for PFAS and other contaminants, such as lead, radon and uranium, and provide those results to tenants within 10 days of being notified of the results. It also requires landlords to provide the most recent testing results to prospective tenants. Landlords are not required to treat the drinking water contamination under this bill, only to disclose its presence.

The bill will also protect prospective homeowners by requiring disclosure by sellers. LD 493 provides that sellers must identify whether a residential well has been tested for PFAS. This is similar to the current requirement for disclosure of information regarding arsenic, radon and other testing for residential wells. It also builds upon existing Maine law that requires a seller to disclose the date of the most recent water test, if any, and whether the seller has experienced a problem such as an unsatisfactory water test.

Last session's LD 1488 had a fiscal note of \$115,894 in this fiscal year to cover the cost of an Environmental Specialist III position to coordinate the rulemaking requirements related to program implementation, outreach and education to landlords and the creation of updated brochures adding PFAS testing as part of the uniform recommended well water testing. The projected costs for the following two years was just over \$100,000 per year.

While the bill does not require remediation, only disclosure, there are existing programs that can help landlords and homeowners who do wish to treat contaminated drinking water. If PFAS residential drinking water well contamination can be tied to sludge spreading through the state's soil and groundwater investigation, the Department of Environmental Protection may help cover the cost of treatment and provide filtration systems to ensure that drinking water is clean and safe. For landlords and homeowners who are income eligible, there may also be opportunities for remediation funding from the Maine Housing Authority through their Well Water Abatement Program if contamination is found. If a landlord cannot afford to remedy this issue, there are programs available that can help.

Protecting Mainers who rely on private wells is a critical step forward in addressing PFAS contamination in our state and ensuring that our constituents are equipped with the necessary knowledge to make safe choices for themselves and their families.

Thank you for your consideration. I am happy to answer any questions you may have for me.