

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1604

S.P. 641

In Senate, April 10, 2025

**An Act to Protect Groundwater and Surface Waters from
Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill
Leachate**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIPPING of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §413, sub-§13** is enacted to read:

3 **13. Landfill leachate; reporting.** Notwithstanding section 414-A or any other
4 provision of law to the contrary, a person licensed by the department to discharge
5 wastewater to groundwater or any waters of the State shall maintain a record of and
6 annually report to the department in a manner determined by the department regarding the
7 origin, volume and final disposition of leachate collected from a solid waste landfill
8 delivered to or otherwise accepted by the licensee for treatment or other management.

9 **Sec. 2. 38 MRSA §413, sub-§14** is enacted to read:

10 **14. Discharge limits for perfluoroalkyl and polyfluoroalkyl substances.** The
11 department shall adopt rules establishing limits on the amount of perfluoroalkyl and
12 polyfluoroalkyl substances in discharged effluent. Notwithstanding section 414-A or any
13 other provision of law to the contrary, beginning June 1, 2026, a person licensed by the
14 department to discharge wastewater to groundwater or any waters of the State may not
15 discharge any wastewater containing leachate collected from a solid waste landfill unless
16 the effluent discharged satisfies the limits adopted by the department by rule regarding the
17 amount of perfluoroalkyl and polyfluoroalkyl substances in discharged effluent. Rules
18 adopted by the department pursuant to this subsection are routine technical rules as defined
19 in Title 5, chapter 375, subchapter 2-A.

20 As used in this subsection, "perfluoroalkyl and polyfluoroalkyl substances" has the same
21 meaning as in section 1614, subsection 1, paragraph F.

22 **Sec. 3. 38 MRSA §1303-C, sub-§19-F** is enacted to read:

23 **19-F. Perfluoroalkyl and polyfluoroalkyl substances.** "Perfluoroalkyl and
24 polyfluoroalkyl substances" or "PFAS" has the same meaning as in section 1614,
25 subsection 1, paragraph F.

26 **Sec. 4. 38 MRSA §1310-N, sub-§10-A** is enacted to read:

27 **10-A. Testing of landfill leachate for perfluoroalkyl and polyfluoroalkyl**
28 **substances.** Notwithstanding any provision of this chapter to the contrary, a licensed solid
29 waste landfill that has installed a landfill leachate collection system shall ensure, on a
30 quarterly basis, that its leachate is tested by an independent 3rd-party entity for
31 perfluoroalkyl and polyfluoroalkyl substances contamination in a manner directed by the
32 department. Results from leachate testing conducted pursuant to this subsection must be
33 provided by a solid waste landfill to the department annually at the time the landfill submits
34 its annual report pursuant to subsection 6-D, paragraph B. The department shall make
35 leachate testing results submitted pursuant to this subsection available on its publicly
36 accessible website in a manner and format that is readable and understandable by the
37 general public.

38 **Sec. 5. 38 MRSA §1310-N, sub-§10-B** is enacted to read:

39 **10-B. Testing of private water supplies for perfluoroalkyl and polyfluoroalkyl**
40 **substances.** Upon written request to the department from the owner of a property abutting
41 a licensed solid waste landfill, the department shall require the licensee to conduct sampling
42 and analysis for perfluoroalkyl and polyfluoroalkyl substances of a private water supply

1 well used by the owner for drinking water purposes. For the purposes of this subsection, a
2 property is considered to be abutting a solid waste landfill if the property is contiguous to
3 property on which the landfill is located, including directly across a public or private right-
4 of-way from the landfill, or is located within one mile of property on which the landfill is
5 located.

6 A. Sampling and analysis for PFAS contamination pursuant to this subsection must be
7 conducted using standard analytical methods for the detectable level of PFAS
8 established by the United States Environmental Protection Agency.

9 B. The laboratory performing the sampling and analysis shall provide written copies of
10 results to the licensee, the property owner and the department. The property owner
11 may request and the department may require the licensee to conduct additional
12 sampling and analysis of the owner's private water supply well for PFAS contamination
13 pursuant to this subsection.

14 SUMMARY

15 This bill requires a person licensed by the Department of Environmental Protection to
16 discharge wastewater to groundwater or any waters of the State to maintain a record of and
17 annually report to the department, in a manner determined by the department, regarding the
18 origin, volume and final disposition of leachate collected from a solid waste landfill
19 delivered to or otherwise accepted by the licensee for treatment or other management. It
20 also prohibits, beginning June 1, 2026, such licensed wastewater dischargers from
21 discharging any wastewater containing leachate collected from a solid waste landfill unless
22 the effluent discharged satisfies limits adopted by the department by rule regarding the
23 amount of perfluoroalkyl and polyfluoroalkyl substances in effluent discharges.

24 The bill requires a licensed solid waste landfill that has installed a landfill leachate
25 collection system to ensure that its leachate is tested on a quarterly basis by an independent
26 3rd-party entity for perfluoroalkyl and polyfluoroalkyl substances contamination in a
27 manner directed by the department. The leachate testing results must be made available by
28 the department on its publicly accessible website in a manner and using a format that is
29 readable and understandable by the general public. The bill also provides that, upon written
30 request to the department from the owner of a property abutting a licensed solid waste
31 landfill, the department must require the landfill licensee to conduct sampling and analysis
32 for perfluoroalkyl and polyfluoroalkyl substances of a private water supply well used by
33 the owner for drinking water.