

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 930

H.P. 658

House of Representatives, March 9, 2017

An Act To Protect Maine Families by Enhancing Well Water Regulation

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FREDETTE of Newport.

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

2 **Sec. 1. 22 MRSA §565, sub-§1**, as enacted by PL 1991, c. 499, §2 and affected
3 by §26, is amended to read:

4 **1. Coordination with the Department of Environmental Protection.** In
5 coordination with the Department of Environmental Protection, the department shall also
6 provide laboratory services for environmental testing and analysis as necessary to
7 implement the programs and duties of the Department of Environmental Protection,
8 pursuant to Title 38, section 342, subsection 4 and Title 38, chapter 35. The
9 commissioner and the Commissioner of Environmental Protection shall enter into joint
10 agreements and establish joint policies as necessary to ensure the provision of appropriate
11 laboratory services.

12 **Sec. 2. 38 MRSA c. 35** is enacted to read:

13 **CHAPTER 35**

14 **WELL WATER TESTING PROGRAM**

15 **§3201. Definitions**

16 As used in this chapter, unless the context otherwise indicates, the following terms
17 have the following meanings.

18 **1. Basic pollutants.** "Basic pollutants" means contaminants known to be a threat to
19 human health and to be present in potable wells in this State, as determined by the
20 department by rule.

21 **2. Contaminated area.** "Contaminated area" means an area in which there is a
22 known environmental hazard or dispersal of pollutants that may contaminate potable
23 wells, as determined by the department by rule.

24 **3. Potable well.** "Potable well" means a well that is a private water supply created
25 or used to provide water for human consumption. "Potable well" does not include a
26 public water system as defined in Title 22, section 2601, subsection 8 or a roadside spring
27 as defined in Title 22, section 2601, subsection 8-A.

28 **§3202. Testing required; schedule**

29 A potable well must be tested for basic pollutants in accordance with the following
30 requirements.

31 **1. New potable wells.** A person drilling or otherwise creating a new potable well
32 after July 1, 2018 shall have the well tested for basic pollutants in accordance with rules
33 adopted by the department.

34 **2. Ongoing testing.** A person owning a potable well shall have the well tested for
35 basic pollutants at least once every 5 years in accordance with rules adopted by the
36 department.

