

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES

December 2021

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JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

LD 1503 An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution

ENACTED LAW SUMMARY

Public Law 2021, chapter 477 requires manufacturers of products with intentionally added perfluoroalkyl and polyfluoroalkyl substances, or PFAS, to report the presence of those substances in those products to the Department of Environmental Protection beginning in 2023. It also prohibits the sale of residential carpets or rugs, as well as the sale of fabric treatments, that contain intentionally added PFAS beginning in 2023. Additional product categories containing intentionally added PFAS may also be identified by the department and prohibited from sale. Effective in 2030, products containing intentionally added PFAS may not be sold unless the use of PFAS in a product is specifically designated by the department as a currently unavoidable use. The department is required, to the extent funds are available, to establish a PFAS source reduction program that provides information, education and grants to publicly owned treatment works and municipalities to reduce PFAS entering air, water or land.

Public Law 2021, chapter 477 was enacted as an emergency measure effective July 15, 2021.

LD 1505 An Act To Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam

ENACTED LAW SUMMARY

Public Law 2021, chapter 449 prohibits, beginning January 1, 2022, a person from discharging or causing to be discharged for testing or training purposes a firefighting or fire suppressing foam to which perfluoroalkyl and polyfluoroalkyl substances, or PFAS, have been intentionally added unless the foam is entirely collected for proper disposal. A person that discharges or causes to be discharged firefighting or fire-suppressing foam to which PFAS have been intentionally added into the coastal waters, estuary, tidal flat, beach or land adjoining the seacoast of the State or into or upon any lake, pond, river, stream, sewer, surface water drainage, groundwater or other waters of the State or any public or private water supply or onto land adjacent to, on or over such waters of the State must report the discharge to the Department of Environmental Protection as soon as practicable but no later than 24 hours after the discharge occurs.

Public Law 2021, chapter 449 also prohibits, beginning January 1, 2022, a person from manufacturing, selling, offering for sale, distributing for sale or distributing for use in the State a firefighting or fire-suppressing foam to which PFAS have been intentionally added, subject to specific enumerated exceptions. On or before January 1, 2022, a person that manufactures firefighting or fire-suppressing foam to which PFAS have been intentionally added and, prior to January 1, 2022, sold, offered for sale or distributed such foam for sale or use in the State shall provide written notification of this prohibition to any person in the State that received such foam from the manufacturer and shall issue a recall of all such prohibited foam.

Public Law 2021, chapter 449 also directs the Department of Environmental Protection, in