

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES**

July 2022

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Public Law 2021, chapter 522 also requires the task force, in developing those findings and recommendations, to convene a stakeholder group that includes, but is not limited to, task force members, state natural resources agency staff and other persons with relevant experience or expertise including representatives of local and regional lake associations and representatives of lake protection organizations. It provides that for the first report due January 15, 2023, the task force is required to include additional one-time findings on a number of specified matters.

LD 1835 An Act To Amend the Laws Governing Storm Water Management To Provide an Exemption for Mountain Bike Trails

ENACTED LAW SUMMARY

Public Law 2021, chapter 507 exempts certain mountain bike trails from the storm water management requirements of the Maine Revised Statutes, Title 38, section 420-D.

Public Law 2021, chapter 507 was enacted as an emergency measure effective March 16, 2022.

LD 1875 Resolve, To Address Perfluoroalkyl and Polyfluoroalkyl Substances Pollution at State-owned Solid Waste Landfills

ENACTED LAW SUMMARY

Resolve 2021, chapter 172 directs the Department of Administrative and Financial Services, Bureau of General Services to conduct a study of methods of treating leachate collected at the state-owned solid waste landfills in Old Town and in East Millinocket to reduce the concentration of perfluoroalkyl and polyfluoroalkyl substances in the leachate. On or before January 15, 2023, the bureau is required to submit to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters a report containing its findings and recommendations, including any suggested legislation, resulting from its study. After receiving the report, the joint standing committee may report out legislation to implement any such recommendations to the 131st Legislature.

Resolve 2021, chapter 172 was finally passed as an emergency measure effective May 2, 2022.

LD 1911 An Act To Prevent the Further Contamination of the Soils and Waters of the State with So-called Forever Chemicals

ENACTED LAW SUMMARY

Public Law 2021, chapter 641 does the following.

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1. It authorizes the Department of Environmental Protection to require a person licensed to discharge wastewater to sample the effluent discharged for perfluoroalkyl and polyfluoroalkyl substances and to report the sample data to the department.
2. It provides that a person licensed or permitted by the department to apply or spread septage at one or more locations in the State may not apply septage at any location authorized under that license or permit if the department provides to the person a written determination that, based on testing conducted at the location or in close proximity to that location, the department has determined that the concentration of perfluoroalkyl and polyfluoroalkyl substances in groundwater at that location or in drinking water sources in close proximity to that location exceeds the applicable drinking water standard for perfluoroalkyl and polyfluoroalkyl substances.
3. It prohibits the department from issuing any new license or permit authorizing a person to apply or spread septage at any location in the State.
4. It repeals provisions of law that authorize a homeowner to arrange for septage from a residence on the homeowner's property to be disposed of on that property.
5. Subject to certain listed exceptions, it prohibits the application or spreading on any land in the State of sludge, any compost material that included in its production sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage or any other product or material that is intended for use as a fertilizer, soil amendment, topsoil replacement or mulch or for other similar agricultural purpose that is derived from or contains sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage.
6. Subject to certain listed exceptions, it prohibits the sale or distribution in the State of any compost material that included in its production sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage or any other product or material that is intended for use as a fertilizer, soil amendment, topsoil replacement or mulch or for other similar agricultural purpose that is derived from or contains sludge generated from a municipal, commercial or industrial wastewater treatment plant or septage.
7. It repeals the provision in law imposing a \$10 per ton fee on the handling of sludge and septage beginning January 1, 2022 and makes related statutory changes.
8. It repeals a provision of Public Law 2021, chapter 478 that prohibits a person licensed or permitted by the department to apply sludge or septage at a location subject to department evaluation for perfluoroalkyl and polyfluoroalkyl substances contamination from requesting to surrender the license or permit prior to its expiration unless the person has submitted to the evaluation and provided the results to the department.
9. It requires the department to study methods of and develop a plan for prohibiting the land application of septage in the State and, on or before January 15, 2023, to submit to the joint standing committee of the Legislature having jurisdiction over environment and natural

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resources matters a report containing its findings and recommendations, including any suggested legislation, resulting from that study. After receiving the report, the joint standing committee may report out legislation to implement any such recommendations.

LD 1940 An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants

ENACTED LAW SUMMARY

Public Law 2021, chapter 524 amends the law regarding municipal building codes to provide that building codes, including the Maine Uniform Building and Energy Code, may not prohibit the installation or use of “acceptable refrigeration or air conditioning products or equipment.” The term “acceptable refrigeration or air conditioning products or equipment” is defined to mean refrigeration or air conditioning products or equipment that use a refrigerant listed by the United States Environmental Protection Agency in regulations adopted pursuant to the federal Clean Air Act as acceptable, acceptable subject to use conditions or acceptable subject to narrowed use limits and that are installed in accordance with any applicable conditions or limitations imposed by those regulations.

LD 1964 An Act To Update Certain Water Quality Standards and To Reclassify Certain Waters of the State

ENACTED LAW SUMMARY

Public Law 2021, chapter 551 implements recommendations of the Board of Environmental Protection resulting from its review of the State’s water quality classification system and related water quality standards pursuant to the Maine Revised Statutes, Title 38, section 464, subsection 3, paragraph B, including specific updates to certain water quality standards and water quality classifications based on water quality data and the recommendations of the United States Environmental Protection Agency, the Department of Environmental Protection and other parties. It also includes technical clarifications to certain board reporting responsibilities and the corresponding authority for legislation of the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters.

LD 1970 An Act To Implement Agency Recommendations Relating to Sea Level Rise and Climate Resilience Provided Pursuant to Resolve 2021, Chapter 67

ENACTED LAW SUMMARY

Public Law 2021, chapter 590 implements the following agency recommendations resulting from a review by multiple agencies of their respective laws and rules to determine changes necessary to