PROTECTING MAINE’S DRINKING WATER

All Mainers, regardless of income or location, deserve access to clean and safe drinking water. We worked hard in the 130th legislative session to secure access to clean drinking water for Maine families:

**LD 129** Wells across the state have been contaminated by toxic chemicals known as PFAS. Yet, there was no legal limit on PFAS contamination in drinking water and no requirement for public systems to test. LD 129, sponsored by Senator Troy Stewart (R-Aroostook) set a strict, health protective standard for 6 different types of PFAS and requires testing of public water supplies as well as water supplies that service schools and daycares.

**LD 204** We worked with Rep. Rebecca Millett (D-Cape Elizabeth) and Rep. Michele Meyer (D-Elliot) to pass LD 206, which protects Maine children by setting a more health protective maximum level allowed for lead in school drinking water and requires schools to test and disclose these results to parents. Schools across the state have initiated testing and many returned with concerning results.

**LD 1570** Over 50% of Mainers get their drinking water from residential wells. Maine’s unique geology means as many as 1 in 6 of those with wells have too much arsenic in their water. LD 1570 sponsored by Rep. Lori Gramlich (D-Old Orchard Beach) requires the Maine CDC to do outreach to low-income residential well owners and help them get their wells tested for free. It also requires landlords to test their wells for arsenic and disclose test results to tenants.

**LD 1891** Finally, we worked with Rep. Jessica Fay (D-Raymond) on LD 1891, which provides funding to the Maine Housing Authority’s well water abatement program. This program helps low-income Mainers pay for remediation of their residential wells if those wells test results showed dangerous levels of arsenic, radon, mercury, and other contaminants. Senator Stacey Guerin (R-Penobscot) helped champion the bill in the Labor and Housing Committee. The bill passed both chambers unanimously and will provide an additional $500K to the program.

**LD 363** Prior to the passage of LD 363, it was very difficult for landowners in Maine to sue for contamination because they were required to file suit shortly after contamination occurred, even if the problems weren’t discovered until years later. This bill, sponsored by Rep. Bill Pluecker (I-Warren) now allows those that are impacted by PFAS contamination the ability to seek compensation within six years from the discovery of the contamination.

**LD 1503** One of the most consequential bills in the 130th legislative session, LD 1503, championed by Rep. Lori Gramlich (D-Old Orchard Beach) is a significant step forward for Maine and provides a national model for policymakers to eliminate all but the “essential” uses of PFAS in products. It also requires manufacturers to disclose the use of PFAS in products to the Department of Environmental Protection (DEP). This bill fills the script on chemical policy as we know it, putting the onus on proving the specific need for these toxic chemicals on the manufacturers, as opposed to advocates and legislators trying to ban specific uses, and it sets a precedent for other states to follow suit.

**LD 1600** Over the past 40 plus years, potentially contaminated industrial and municipal sewer sludge has been used as fertilizer across Maine. The DEP has a list of over 700 sites across Maine where material similar to that which contaminated the Stoneridge and Tozier farms was used. We worked closely with Rep. Lori Gramlich (D-Old Orchard Beach) on LD 1600, which requires the state to systematically test both soil and groundwater at these sites for PFAS contamination. This law will protect public health by prioritizing testing of sludge and septic spreading sites that have the potential to contaminate water and food consumed by Mainers, and also sets a precedent for other states to begin requiring testing as well.

**LD 1911** We worked closely with Rep. Bill Pluecker (I-Warren) on legislation to ban the land application of PFAS-contaminated sludge and sludge-derived compost. This first-in-the-nation legislation, LD 1911, will protect Maine’s farmland from further contamination. This legislation was strengthened and championed in the Environment and Natural Resources Committee by committee chairs Sen. Stacy Brenner (D-Scarborough) and Rep Ralph Tucker (D-Brunswick). Senator Rick Bennett (R-Oxford) was the lead senate sponsor and helped champion the bill in the senate and foster bipartisan support.

**LD 2013** We partnered with Maine Farmers and Gardeners Association (MOFGA) and Maine Farmland Trust to champion legislation, LD 2013, that will provide funding and medical monitoring to farmers and well-users who have been impacted by the PFAS crisis. Members of the Agriculture, Conservation and Forestry Committee, including Sen. Jim Dill (D-Penobscot) and Reps. Bill Pluecker (I-Warren) and Maggie O’Neill (D-Saco) worked hard to draft a comprehensive bill. LD 2013 enjoyed unanimous support in both the House and Senate and was incorporated into the supplemental budget bill with $60M in funding.

**LD 1875** Landfill leachate is contributing PFAS contamination in the Penobscot River, which is of particular concern to our friends in the Penobscot Nation for whom the river is a vital resource and is of important cultural significance. We worked with the Penobscot Nation and Rep. Stanley Paige Zeigler (D-Montville) on legislation, LD 1875, that requires the state to study the best way to treat landfill leachate at state-run landfills for PFAS to prevent PFAS contamination further down the waste stream. The state is required to come up with recommendations for treatment and present them to the legislature next session. LD 1875 passed unanimously out of committee and was adopted unanimously in both chambers.
Thank you, Legislators.

Our special thanks our legislative champions over the entirety of the 130th Legislative session including Rep. Lori Gramlich (D-Old Orchard Beach) who took on PFAS as a priority issue and was the lead sponsor on three of our PFAS bills, LD 1503, LD 1505, and LD 1600. Rep. Gramlich also led on LD 1570 to help protect access to clean drinking water. Rep. Bill Pluecker (I-Warren), was the lead sponsor on LD 363 and LD 1911. He also worked hard to get LD 129 passed and pushed for the funding needed to pass LD 2013. Senator Rick Bennett (R-Oxford), was the lead senate sponsor on LD 1503, LD 1505, LD 1600, LD 1875, and LD 1911. He was an outspoken advocate and helped garner bipartisan support on all five bills.

Rep. Stanley Paige Zeigler (D-Montville) led the way on LD 1875 and Rep. Jessica Fay (D-Raymond) fought for the funding needed in LD 1891. Senator Stacy Brenner (D-Scarborough), and Rep. Ralph Tucker (D-Brunswick), chairs of the Environment and Natural Resources Committee, also worked to strengthen the PFAS bills and made sure they crossed the finish line. Rep. Michele Meyer (D-Eliot) and Senator Ned Claxton (D-Androscoggin), chairs of the Health and Human Services Committee, fought hard to get bipartisan support on several clean drinking water bills.

Defend Our Health Action (formerly Prevent Harm) is the 501(c)4 advocacy partner of Defend Our Health, which has fought since 2002 for a toxic-free tomorrow. We build coalitions, stand with the grassroots, and lead campaigns to win positive change in government and communities in Maine and across the country.

Please consider a contribution to our work.

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Both sessions of the 130th legislature (2021-2022) were incredibly successful for Defend Our Health and Defend Our Health Action. We passed several PFAS bills, including first in the nation bills to protect consumers and farmers! The PFAS bills will both help deal with Maine’s current PFAS contamination crisis and prevent further contamination down the road. We worked with legislators on both sides of the aisle on PFAS legislation and legislation to protect Maine’s children and families from toxins in drinking water, including lead, arsenic and PFAS. We also worked with coalition partners to secure funding to help those impacted by PFAS contamination.