



MAINE PFAS TRACKER

Last updated August 12, 2026

Pierce Atwood offers this summary of Maine Per- and Polyfluoroalkyl Substances (PFAS) standards as a convenience in evaluating PFAS and tracking Maine Department of Environmental Protection (DEP) regulatory and Maine legislative developments. We update this Maine PFAS Tracker when there are important new actions (if you found this on the Pierce Atwood website, then you are seeing the most recent version). Levels are provided below in parts per million (ppm), parts per billion (ppb), or parts per trillion (ppt), depending on the matrix typically involved.

WHAT'S NEW IN THIS EDITION?

The state of Maine has recently undertaken several legislative and executive initiatives to monitor and manage PFAS. Meanwhile at the federal level, the Trump administration has rolled back PFAS regulations

Maine DEP:

PFAS Drinking Water Standards: Maine Center for Disease Control [has adopted the federal drinking water limits set by the Biden administration](#) in April 2024, thereby lowering what was previously a combined 20 part per trillion standard for 6 PFAS to a 4.0 part per trillion limit on PFOA and PFOS and a 10.0 part per trillion limit on PFNA, PFHxS and HFPO-DA (GenX Chemicals). The new standard regulates different PFAS from the previous standard; two of the PFAS that were regulated in Maine under the previous rule – PFHpA and PFDA – will not be regulated under the new standard and two PFAS that have not previously been regulated in Maine – Gen-X Chemicals and PFBS – will be regulated under the new standard. Maine state officials have clarified that although PFHpA and PFDA will not be regulated, they will continue to be monitored. Maine will align with the federal timeline of initial monitoring due April 26, 2027, and compliance with the rule by April 27, 2029.

EPA has announced its intent to extend the Maximum Contaminant Level compliance deadlines and to change the maximum drinking water limits for PFNA, PFHxS, PFBS, and Gen-X Chemicals. However, on January 12, 2026, the D.C. Circuit denied EPA's request to summarily vacate those four PFAS drinking water rules. Furthermore, despite these proposed federal level changes, Maine's PFAS standards are not likely to change, because the new rules and underlying statutory language specifically cite the April 2024 version of the federal drinking water limits. In the meantime, the 20 parts per trillion combined standard remains valid.

PFAS in Products: The PFAS in Products Program was initially enacted in Public Law 2021, c. 477, An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution (LD 1503, 130th Legislature), but was significantly amended by Public Law 2023, c. 630, An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances (LD 1537, 131st Legislature, effective August 9, 2024). Importantly, the 2024 legislation eliminates the general notification requirement that was previously scheduled to take effect January 1, 2025. This legislation also created a number of new sales prohibitions for products with intentionally added PFAS with varying effective dates, created some specific exemptions to the prohibitions, and established a new reporting program for those product categories that receive a Currently Unavoidable Use (CUU) determination from the Department. The following products containing intentionally added PFAS that are not deemed CUU are banned starting on January 1, 2026:

- Cleaning products
- Cookware products
- Cosmetic products
- Dental floss

- Juvenile products
- Menstruation products
- Some textile articles
- Ski wax
- Upholstered furniture
- Products listed that do not contain intentionally added PFAS but are sold, offered for sale, or distributed for sale in a fluorinated container or in a container that otherwise contains intentionally added PFAS.

In October 2025, the Board of Environmental Protection (BEP) approved CUU determinations for two cleaning product container products that are within the prohibited cleaning products category.

Going forward, CUU proposals will be grouped into a single rulemaking at least one time during the year – in other words, proposals for CUU received after a rulemaking is initiated will likely be grouped into the next scheduled rulemaking. This year, the rulemaking is scheduled for some time after May 1st. Products captured by the subsequent sales prohibitions scheduled to begin in 2029, 2032, and 2040 may submit CUU proposals no earlier than 60 months before the sales prohibition begins and no later than 18 months before the prohibition begins.

PFAS in Food Packaging: On April 18, 2024, the BEP approved final adoption of [Chapter 80 Section 5](#) to prohibit PFAS use in certain types of food packaging sold in Maine. The effective date of this prohibition was May 25, 2026.

Recent Legislative Sessions: The following PFAS-related bills became law in 2025:

- **No. 130** *An Act to Establish the PFAS Response Program and to Modify the Fund to Address PFAS Contamination*
 - This bill directs the Department of Agriculture, Conservation, and Forestry (DACF) to establish a comprehensive PFAS Response Program designed to allow DACF to abate, remediate, and otherwise mitigate the risks and hazards that PFAS pose to the state's agricultural producers and to the integrity of the food supply. Through the program, DACF must establish maximum levels for PFAS in farm products, provide PFAS testing support and technical expertise to farmers, support research efforts necessary to advance scientific understanding of PFAS in agricultural systems, and in some cases, provide financial assistance to PFAS-impacted farms.
- **No. 987** *An Act Clarifying Exemptions from the Notification Requirements for Products Containing PFAS*
 - This bill amends 38 M.R.S.A. § 1614 (PFAS in Products Law) to expand the scope of vehicles and equipment exempt from notification requirements for products in which PFAS is deemed to be a currently unavoidable use. Under the amendments, motor vehicles including off-highway and specialty vehicles, personal assistive mobility devices, farm equipment (tractors, implements, machinery, utility tractors), forestry, construction (including compact), mining, turf, yard, and garden equipment, outdoor power equipment, portable aviation equipment, racing vehicles, internal combustion engines, various power sources (generator sets, electric batteries, fuel cells), products for electricity generation and distribution, telecommunications infrastructure and devices for transmitting voice, video, and data, and power tools are all exempt from notification requirements.

- **No. 1326** *An Act to Protect the Drinking Water for Consumers of Certain Water Systems by Establishing Maximum Contaminant Levels for Certain Perfluoroalkyl and Polyfluoroalkyl Substances*
 - This bill requires community water systems – public water systems that serve at least 25 year-round residences -- and non-transient noncommunity water systems – to comply with federal PFAS Maximum Contaminant Levels, as promulgated on April 26, 2024.
- **No. 1604** *An Act to Protect Groundwater and Surface Waters from Perfluoroalkyl and Polyfluoroalkyl Substances from Landfill Leachate*
 - This bill requires landfills to test their leachate for PFAS quarterly and empowers the Maine DEP to set leachate limits. Once those limits are set, landfills will have to ensure their leachate complies with the limits before discharging any wastewater containing leachate.
- **No. 1786** *An Act to Require the Department of Environmental Protection to Provide Certain Information Regarding Perfluoroalkyl and Polyfluoroalkyl Substances to the Public and Private Drinking Water Well Owners*
 - This bill requires the Maine DEP to post on its website and in any other manner necessary to inform the public of current federal and state drinking water standards, and to inform and provide resources to landowners with private drinking water wells when the DEP has knowledge or suspects the drinking water well may be contaminated with PFAS.

The following bills will become law in 2026:

- **No. 222** *An Act to Establish a Take-back and Disposal Program for Firefighting and Fire-suppressing Foam to Which Perfluoroalkyl and Polyfluoroalkyl Substances Have Been Added*
 - This bill requires the DEP to design and implement, in consultation with the Department of Public Safety, a take-back and disposal program for firefighting and fire-suppressing foam to which PFAS have been intentionally added by July 1, 2027.
- **No. 493** *An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells*
 - This bill requires the DEP to, in consultation with the Department of Public Safety, design and implement a take-back and disposal program for firefighting and fire-suppressing foam to which PFAS have been intentionally added by July 1, 2027.
- **No. 582** *An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances*
 - This bill requires health insurance carriers to provide coverage for blood testing for PFAS and PFOS that is recommended by a provider as medically necessary.
- **No. 2070** *An Act to Improve the Management of Landfill Leachate and Wastewater Treatment Plant Sludge at Solid Waste Landfills*
 - This bill imposes additional regulation of solid waste landfills including through the following measures: (1) mandating PFAS emission controls at sludge-processing facilities; (2) requiring leak detection systems and groundwater PFAS monitoring at new or expanded landfills in wetland areas; (3) requiring sludge testing for PFAS and PFOS; (4) conditioning public-benefit determinations for state-owned landfills on leachate treatment for PFAS; and (5) prohibiting development of the Carpenter Ridge site in Penobscot County as a state-owned solid waste facility.

EPA:

1. PFAS Drinking Water Standards: The Trump administration has initiated formal rulemaking to revise federal PFAS drinking water standards. Following the D.C. Circuit's January 12, 2026, denial of EPA's request for summary vacatur, EPA published a **proposed rule** on May 18, 2026, to amend the Maximum Contaminant Levels (MCLs) for four PFAS compounds—PFHxS, PFNA, HFPO-DA (GenX Chemicals), and the Hazard Index mixture that includes these compounds plus PFBS. The proposed rule would eliminate the 10 ppt MCLs for PFHxS, PFNA, and HFPO-DA and rescind the Hazard Index standard entirely. The public comment period for this rule closed on July 20, 2026. EPA has indicated it intends to finalize the rule by early 2027.

Separately, EPA is **proposing a rule** to extend the compliance deadline for the PFOA and PFOS MCLs (which remain set at 4.0 ppt) from the original April 2029 deadline to April 2031 for water systems that apply for and are granted an extension. The public comment period for this rule also closed on July 20, 2026. Notwithstanding these federal developments, Maine's PFAS drinking water standards—which align with the April 2024 federal limits—are not expected to change, because Maine's rules and underlying statutory language specifically cite the April 2024 version of the federal drinking water limits.

2. PFAS Reporting: At the federal level, on October 10, 2023, the EPA published in the **Federal Register** its final rule establishing reporting and recordkeeping requirements for PFAS under the Toxic Substances Control Act (TSCA), triggering an effective date of November 13, 2023. Under this rule, entities that manufacture (including import) or have manufactured PFAS in any year since January 1, 2011 have to submit information to EPA regarding PFAS uses, production volumes, byproducts, disposal, exposures, and existing information on environmental or health effects. This is a one-time reporting requirement that covers 12 calendar years. Records that document any information reported to EPA must be maintained for five years. In November 2025, the Trump administration **proposed a new rule** that would significantly modify the existing TSCA PFAS reporting rule. The proposed rule includes the following reporting exemptions: (1) PFAS in mixtures or articles that contain PFAS at concentrations below 0.1 percent; (2) PFAS imported as part of an article; (3) PFAS manufactured as solely byproducts, impurities, or non-isolated intermediates; and (4) PFAS imported solely in small quantities for research and development purposes. EPA has already twice delayed the start of the reporting period for the existing rule. The proposed rule establishes a three-month reporting period that begins either 60 days after EPA issues a final rule or 60 days from January 1, 2027, whichever occurs first.

3. CERCLA Designation: Effective July 8, 2024, EPA designated PFOA and PFOS as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances. The rulemaking will have substantial impacts to the state because Maine considers any substances deemed hazardous under CERCLA as a Maine hazardous substance regulated under the Maine Uncontrolled Hazardous Substance Sites Law.

4. Drinking Water Standards: On April 10, 2024, EPA finalized nationally enforceable drinking water standards for six PFAS – PFOA, PFOS, PFNA, PFHxS, PFBS and HFPO-DA (GenX Chemicals). Under the rulemaking, EPA set a 4.0 ppt limit on PFOA and PFOS and a 10.0 ppt limit on PFNA, PFHxS and GenX Chemicals in drinking water. EPA also set a 1.0 Hazard Index limit for any mixture of two or more of the following PFAS: PFNA, PFHxS, PFBS, and HFPO-DA. Less than a year later, on May 14, 2025, EPA announced its intent to extend the PFOA and PFOS Maximum Contaminant Level compliance deadlines and to establish a federal exemption framework. The agency expected to propose the rule this fall and finalize it in spring 2026. EPA also announced its intent to rescind the regulations and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index mixture of these three PFAS plus PFBS.

The following tracker provides up-to-date information on standards, regulatory actions, and legislation.

Maine

I. Maine PFAS Screening Levels

1. Maine Drinking Water Maximum Contaminant Levels

In December 2025, Maine adopted the EPA's PFAS drinking water standard. Under this drinking water standard, six PFAS compounds are subject to the following limits; PFOA and PFOS have a limit of 4.0 ppt, and PFNA, PFHxS and HFPO-DA (GenX Chemicals) have a limit of 10 ppt. There is also a 1.0 Hazard Index limit for any mixture of 2 or more of the following PFAS: PFNA, PFHxS, PFBS, and HFPO-DA.

The new standard regulates different PFAS from the previous standard; two of the PFAS that were regulated in Maine under the previous rule – PFHpA and PFDA – will not be regulated under the new standard and two PFAS that have not previously been regulated in Maine – Gen-X Chemicals and PFBS – will be regulated under the new standard.

Maine will align with the federal timeline of initial monitoring and compliance. Although EPA has currently set initial monitoring for April 26, 2027, and compliance with the rule by April 27, 2029, the Trump administration has indicated that the compliance timeline and maximum contaminant levels are likely to change. In the meantime, Maine's interim standard remains valid:

PFOA, PFOS, PFHpA, PFHxS, PFNA, and PFDA Alone or Combined 20 ppt

This interim standard was established on June 21, 2021, with the signing of P.L. 2021, c. 82.

2. Maine DEP **Chapter 418, Beneficial Use of Solid Wastes, Appendix A – screening concentration – (secondary materials)**

	PPM	PPB	PPT
PFOA	.0025	2.5	2,500
PFOS	.0052	5.2	5,200
PFBS	1.9	1,900	1,900,00

These concentrations are also being applied as screening levels to residuals regulated under DEP **Chapter 419, Agronomic Utilization of Residuals**. If screening levels are exceeded, a "closer look" by the Department will occur. See Memorandum from David Burns, DEP to licensed facilities that land apply, compost, or process sludge in Maine, RE: Requirement to analyze for PFAS compounds, March 22, 2019 (available [here](#)).

3. Maine DEP Soil Remedial Action **Guidelines (mg/kg) effective November 15, 2023**

	Leaching to Groundwater	Residential	Commercial Worker	Park User	Recreator Sediment	Construction Worker
PFBS	0.11	26	340	74	85	230
PFBA	0.36	110	1,600	300	350	2,000
PFHxS	0.00047	1.7	22	4.9	5.7	5.1
PFHxA	0.13	43	560	120	140	130
PFNA	0.0046	0.26	3.4	0.74	0.85	0.77
PFOS	0.001	0.17	2.2	0.49	0.57	0.51
PFOA	0.017	0.26	3.4	0.74	0.85	0.77

4. Maine DEP Groundwater Remedial Action **Guidelines** (ppb) effective November 15, 2023

	Residential	Construction
PFBS	6.0	32,000
PFBA	19	28,000
PFHxS	0.39	310
PFHxA	9.9	10,000
PFNA	0.059	42
PFOS	0.04	75
PFOA	0.06	110

The DEP Water Remedial Action Guidelines incorporate a standard that is the sum of a group of PFAS compounds (termed Class II PFAS) that currently includes: PFHxS, PFNA, PFHpA, PFOA, and PFOS.

5. Maine DEP Fish Tissue Remedial Action **Guidelines** (mg/kg) effective May 1, 2021

PFOS	3.5
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As noted above, the DEP has proposed revisions to the RAGs which would significantly lower the RAG thresholds and expand the number of PFAS chemicals subject to RAGs.

6. Maine Foodstuffs **Action Levels**

	PFOS
Milk	210 ppt
Beef	3.4 ng/g

7. Maine Crop-Specific Soil Screening Levels for Dairy Farms **Action Levels** (PFOS only)

	Soil to Hay to Milk	Soil to Corn-Silage to Milk	Soil to Hay and Corn-Silage to Milk
Grass-Based Farm	6.8 ng/g	120 ng/g	6.4 ng/g
Marine Based Farm	13.8 ng/g	54.8 ng/g	11.0 ng/g

II. Maine DEP Actions

1. PFAS Testing

The state of Maine is currently undertaking several **initiatives** to manage and abate PFAS in our natural environment and in our products. These initiatives include monitoring PFAS levels in soil and groundwater at sludge and septage sites, leachate testing, and investigating PFAS in remediation sites across the state.

Since 2021, the DEP has been developing and implementing a program to monitor PFAS in areas that have been covered with sludge and septage by testing the soil and groundwater. The state is monitoring the soil at these land sites and nearby drinking water wells. When the DEP identifies sources of well water that exceed the interim limit for PFAS, the agency coordinates with homeowners to ensure that they have access to safe drinking water.

Beginning in 2021, the state has been monitoring and testing leachate (contaminated liquid draining from landfills) for PFAS. Sampling will continue through the fall/winter of 2023. DEP is also monitoring and testing PFAS at remediation sites across the state.

The state has launched an interactive [PFAS Investigation Map](#), which identifies the locations where groundwater (residential well drinking water), soil, fish, surface water, and wastewater samples have been collected and analyzed for various PFAS.

2. PFAS in Products Rulemaking

Notably, Maine has begun the process of regulating PFAS in products. In particular, in 2024 DEP promulgated a rule that implements a phased ban on the sale of products with intentionally added PFAS, unless the product is determined to be a “currently unavoidable use” (CUU). The rule closely mirrors *An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution*, which was enacted in April 2024.

3. PFAS in Food Packaging Rulemaking

On April 18, 2024, the Board of Environmental Protection approved final adoption of [Chapter 80 Section 5](#) to prohibit PFAS use in certain types of food packaging sold in Maine. The statute provides that this prohibition goes into effect two years following the date of the Department’s final determination. The Secretary of State has assigned an effective date of May 25, 2024, for this rulemaking. Therefore, the effective date of this prohibition is May 25, 2026.

III. Prior Legislation

1. An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution

On April 17, 2024, the Maine Legislature amended 38 M.R.S.A. § 1614 (PFAS in Products Law). The amendments include:

a. Exemptions from the required phase-out of products with intentionally added PFAS for the following products:

1. Firefighting or fire suppressing foam;
2. Medical devices, drugs etc. regulated by the FDA;
3. Veterinary products regulated by the FDA, USDA or EPA;
4. Products developed for public health, environmental or water quality testing;
5. Motor vehicles and motor vehicle equipment;
6. Aircraft;
7. Watercraft;
8. Semiconductors; and
9. Non-consumer laboratory equipment or electronics

b. Changes to the phase-out period. Under the new amendments, products sold or distributed with intentionally added PFAS will be phased-out incrementally starting in 2026

1. January 1, 2026: Cleaning products, cookware, cosmetics, dental floss, juvenile products, menstruation products, ski wax, upholstered furniture and most textiles
2. January 1, 2029: Artificial turf and outdoor apparel for wet weather (unless the apparel includes a disclosure)
3. January 1, 2032: All other products except for refrigerants, cooling, and heating, ventilation, and air conditioning equipment
4. January 1, 2040: Refrigerants, cooling and heating, ventilation, and air conditioning equipment

- c. A restriction on the manufacturer notification requirement so that only manufacturers who sell or distribute products with intentionally added PFAS that the DEP has determined is a “currently unavoidable use” must report
- d. Clarifying language that allows the DEP to exempt a product or product category with intentionally added PFAS that is considered a “currently unavoidable use” for 5 years
- e. An exemption for manufacturers with 100 or fewer employees

2. An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances

Following discussions with stakeholders, and more than 3,000 PFAS reporting extension requests from manufacturers, the Maine Legislature **amended** 38 M.R.S.A. § 1614 (PFAS in Products Law). The amendments, which were signed by Governor Mills on June 8, 2023, include:

- a. Extending the deadline for reporting intentionally added PFAS in products from January 1, 2023 to January 1, 2025
- b. Requiring manufacturers to provide a brief description of any products containing intentionally added PFAS and report their annual state or national sales volume by product unit
- c. Allowing companies to report the total amount of organic fluorine in their product if the PFAS level is unknown
- d. Exempting manufacturers with 25 or fewer employees
 - 1. Exempting used products or used product components from PFAS reporting requirements
- e. Prohibiting the sale and distribution of products containing intentionally added PFAS if the manufacturer has failed to meet the reporting requirements (subject to exceptions)
- f. Applying the law retroactively from January 1, 2023

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

Under this law – which was approved by Governor Mills on May 2, 2022 – the Department of Administrative and Financial Services (DAFS) and Bureau of General Services (BGS) must conduct a study of methods for treating leachate. The purpose of the study is to evaluate the feasibility of installing treatment technologies that can reduce PFAS concentrations in leachate to below the interim drinking water standard (20 ppt) in Maine’s state-owned landfills. In January of 2023, the DAFS and BGS published a **study** summarizing treatment alternatives for reducing PFAS in leachate from State-owned landfills and the projected costs associated with implementation. Enacted by P.L. 2022, c. 172.

4. An Act to Require the Registration of Adjuvants in the State and to Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances

On April 28, 2022, the legislature approved a law prohibiting the sale and distribution of pesticides that contain PFAS. The law will go into effect starting January 1, 2030. Governor Mills allowed the bill to become law without her signature. See 7 M.R.S. § 604, et seq., enacted by P.L. 2022, c. 673.

5. An Act to Prevent the Further Contamination of the Soils and Water of the State

On April 20, 2022, Governor Mills approved a law that banned the land application of sludge generated from municipal, commercial, or industrial wastewater treatment plants, compost produced from sludge, or any other materials derived from sludge. The law also banned the sale of compost and other materials derived from sludge and limited the spreading of septage (waste from septic tanks). See 38 M.R.S. § 1306, enacted by P.L. 2022, c. 641.

6. An Act Regarding the Statute of Limitations for Injuries or Harm resulting from Perfluoroalkyl and Polyfluoroalkyl Substances

On June 22, 2021, the Legislature enacted, and Governor Mills approved, a new statute of limitations for causes of actions arising out of harm or injury caused by a PFAS substance. Under the new statute of limitations, a plaintiff may bring suit within six years of the date the plaintiff discovers or reasonably should have discovered the harm or injury. See 14 M.R.S. § 752-F, enacted by P.L. 2021, c. 328.

7. An Act to Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater

On July 15, 2021, this budget bill became law without the Governor's signature. It establishes the Land Application Contaminant Monitoring Fund, a revolving fund to test and monitor soil and groundwater for PFAS and other contaminants and for other related activities, such as mitigating contamination through the installation of drinking water filtration systems or other remedial actions. Investigation and response activities are to be funded through a handling fee assessed by the DEP on sludge or septage beginning January 1, 2022. Under the Act, the DEP must develop a program to evaluate soil and groundwater for PFAS substances where sludge or septage was land applied and to test landfill leachate, and beginning on January 15, 2023, DEP must submit a report to the Legislature regarding its use of the fund, including a summary of contamination investigated and identified. See 38 M.R.S. § 1310-B-1, et seq., enacted by P.L. 2021, c. 478.

8. An Act Regarding Uncontrolled Hazardous Substance Sites

Approved by Governor Mills on June 8, 2021, this legislation amended the definition of a hazardous substance under the Maine Uncontrolled Hazardous Substance Sites Law (Maine's "Superfund") to include any substance defined as a hazardous substance or pollutant or contaminant under the United States Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 (CERCLA). The legislation exempted from liability publicly owned treatment works and public water systems that contributed effluent or sewage sludge to an uncontrolled site. See 38 M.R.S. § 1362 and 1367-B, amended by P.L. 2021, c. 117. On August 26, 2022, the EPA proposed a rule classifying PFOS and PFOA as hazardous substances under CERCLA. Once the final rule goes into effect, PFOS and PFOA will be regulated as hazardous substances under both CERCLA and Maine's Superfund law.

9. An Act to Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam

On July 9, 2021, Governor Mills approved this legislation restricting the discharge, manufacture, sale, and distribution of firefighting or fire-suppressing foam to which PFAS have been intentionally added, except in certain limited exceptions, beginning on January 1, 2022. The legislation also requires that a person discharges any such foam to report the discharge to the DEP within 24 hours after the discharge. See 38 M.R.S. § 424-C, enacted by P.L. 2021, c. 449.

10. An Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution

This legislation became law on July 15, 2021, without the Governor's signature and amended on June 8, 2023. Beginning on January 1, 2025 (originally January 1, 2023), manufacturers of products for sale in Maine that contain intentionally added PFAS must provide to DEP certain information about the product, including the amount and type of. See 38 M.R.S. § 1614, et seq., enacted by P.L. 2021, c. 477. For more information visit the [DEP's PFAS in Products FAQs page](#).

11. Resolve, Directing the Board of Pesticides Control to Gather Information Related to Perfluoroalkyl and Polyfluoroalkyl Substances in the States

Approved by Governor Mills on June 21, 2021, this legislation requires the Board of Pesticides Control to require manufacturers and distributors of registered pesticides to report whether the product has been stored, distributed, or packaged in a fluorinated high-density polyethylene container and whether a PFAS substance is in the formulation of the registered pesticide. See P.L. 2021, c. 83.

12. Maine DEP Chemicals of High Concern Listing and Reporting Requirements

PFOS and its salts were listed in July 2015 as “Chemicals of Concern,” under the Toxic Chemicals in Children’s Products Law, 38 M.R.S. §1693-A(1), et seq. At the same time, PFOS and its salts were also listed as “Chemicals of High Concern.” The listing qualifies a chemical for further regulation under this law.

On July 2, 2020, the Maine Board of Environmental Protection (BEP) adopted [regulations in Chapter 890](#) designating PFOS and its salts as priority chemicals. The regulations adopted further require that manufacturers or distributors of children’s products for sale within the state of Maine that contain PFOS or its salts report to the DEP certain product information, including the amount of PFOS or its salts in each unit and the function of the chemical in the product.

13. An Act to Protect the Environment and Public Health by Further Reducing Toxic Chemicals in Packaging

Approved by Governor Mills on June 13, 2019, this Act amends the 1989 Reduction of Toxics in Packaging law, which applied to four metals in all packaging or packaging components. The amendments expand the law to reach phthalates, PFAS, and additional “chemicals of concern” in food packages. The law now includes specific bans and authorizes additional DEP rulemakings that may lead to bans or other requirements, giving the department FDA-like authority. See 38 M.R.S. § 1731 et seq., amended by P.L. 2019, c.277.

IV. Other Regulatory Actions and Guidance

Do Not Eat Advisories

1. Maine Department of Inland Fisheries and Wildlife (MDIFW) and the Maine Center for Disease Control and Prevention (MECDC) “Do Not Eat” Advisory for Freshwater Fish

Since May 5, 2022, the MDIFW and the MECDC has issued “Do Not Eat” advisories for freshwater fish taken from several waterbodies in central Maine and has set consumption limit guidelines for freshwater fish taken from fourteen other waterbodies located across Maine, due to PFAS contamination. The “Do Not Eat” advisories are for Fish Brook, including any tributaries associated with Fish Brook, and for the Police Athletic League Ponds in Fairfield. The MECDC also recommends limiting consumption of fish caught from the following waterbodies:

- Aroostook River from the River Reservoir to Haley Island (Caribou to Fort Fairfield)
- China Lake (China)
- Durepo Pond & Limestone Stream (Limestone to Fort Fairfield)
- Fifteen mile Stream from Yorktown Brook inlet to Route 137/202 (Albion)
- Halfmoon Stream from Shikles Road to Sand Stream & Sandy Stream from the Sevens Road to Unity Pond (Thorndike to Unity)
- Kenduskeag Stream from Robyville covered bridge to the Penobscot River (Corinth to Bangor)
- Kennebec River from the Carrabassett Stream inlet to the Town Farm Brook inlet (Fairfield to Sidney)
- McGrath Pond and Salmon Lake (Belgrade/Oakland)
- Messalonskee Stream from Automatic Dam to Rice Rips Dam (Waterville to Oakland)
- Number One Pond (Sanford)
- Presumpscot River from Saccarappa Falls to Presumpscot Falls (Westbrook to Falmouth)
- Unity Pond (Unity)

Information about the advisory, including information about consumption recommendations in each waterbody, can be found [here](#).

2. MDIFW and MECDC "Do Not Eat" Advisory for Deer

On November 23, 2021, the MDIFW and the MECDC issued a "Do Not Eat" advisory for deer taken in the greater Fairfield and Skowhegan area due to PFAS contamination. Information about the advisory can be found [here](#).

3. Governor Mills' Executive Order No. 5 FY 19/20 – An Order to Study the Threats of PFAS Contamination to Public Health and the Environment

On March 6, 2019, Governor Mills issued "An Order to Study the Threats of PFAS Contamination to Public Health and the Environment." Citing the need for a coordinated response and the necessity of studying PFAS distribution, assessing potential impacts, and recommending strategies to mitigate the impacts, Governor Mills established a task force comprised of the commissioners of four state agencies, as well as a public health physician and representatives selected by the commissioners of the Maine DEP and Maine DHHS from several different specified groups or entities. The Task Force issued its final report in January 2020, *Managing PFAS in Maine*.

United States

I. EPA Action

1. TSCA PFAS Reporting Requirements

On October 11, 2023, the EPA published a [final rule](#) establishing a one-time reporting and recordkeeping requirement for PFAS under TSCA. The rule was expected to become effective on November 13, 2023. The rule requires that entities that manufacture (including import) or have manufactured PFAS at any time since January 1, 2011, report information to EPA regarding PFAS uses, production volumes, byproducts, disposal, exposures, and existing information on environmental or health effects. The scope of the rule is broad; EPA expanded its definition of PFAS subject to the rule. Additionally, the original rule did not include a de minimis volume threshold, or typical TSCA exemptions, such as for research and development, byproducts, and impurities. The Trump administration has since proposed an amended rule, that introduces several exceptions. See below for more information.

Under the original rule EPA also finalized the requirement to include PFAS-containing articles (which are manufactured goods or finished products, either imported or domestically produced), but clarified that reporting is only required to the extent that the manufacturer (including importer) of PFAS within articles knows or can reasonably ascertain the requested information. Importantly, EPA further clarified that "entities who solely process, distribute, and/or use PFAS, and do not manufacture (including import) PFAS for a commercial purpose, are not required to report under this rule." In other words, if a product manufacturer does not manufacture (including import) the PFAS itself, but only uses it (including as part of an article or other product), the product manufacturer wouldn't be required to report under this rule.

In September 2024, EPA announced a direct final rule and a parallel proposed rule to delay the reporting period, scheduled to begin on November 12, 2024, until July 11, 2025. In May 2025, EPA announced an interim final rule which further extended the dates of the reporting period. This interim final rule delayed the start of the submission period by nine months, from July 11, 2025, to April 13, 2026.

In November 2025, EPA [proposed a new rule](#) that would significantly modify the existing TSCA PFAS reporting rule. The proposed rule includes the following reporting exemptions: (1) PFAS in mixtures or articles that contain PFAS at concentrations below 0.1 percent; (2) PFAS imported as part of an article; (3) PFAS manufactured as solely byproducts, impurities or non-isolated intermediates; and (4) PFAS imported solely in small quantities for research and development purposes. The proposed rule establishes a 3-month reporting period, which is expected to start in mid-summer of 2026, 60 days after EPA issues the final rule.

2. TRI PFAS Reporting Requirements

The 2020 National Defense Authorization Act triggered reporting of approximately 172 per- and polyfluoroalkyl substances (PFAS) for the Toxics Release Inventory (TRI) under Section 313 of the

Emergency Planning and Community Right-to-Know Act (EPCRA). The 202 NDAA also created a framework for adding additional PFAS chemicals to the TRI chemical lists. As of 2026, 206 PFAS chemicals have been added to the TRI chemical list.

In October 2023, the EPA finalized a rule that eliminated a de minimis reporting exemption that allowed facilities to avoid reporting on PFAS when PFAS made up 1% or less of a product (the de minimis threshold for PFOA was 0.1%). The final rule reclassified all current and future PFAS substances listed on the TRI chemical list as chemicals of special concern, eliminating the de minimis reporting exception for those chemicals. The rule also removed a notification exemption that allowed suppliers to refrain from providing notice of a chemical of special concern to downstream facilities when the product contained less than 1% of the chemical.

For more information, please see our client alerts on PFAS reporting under TRI, linked [here](#) and [here](#).

3. PFAS National Primary Drinking Water Regulation

On March 14, 2023, the EPA [announced](#) the proposed National Primary Drinking Water Regulations (NPDWR) for six PFAS compounds. The proposed regulations set the drinking water enforceable limits to 4.0 ppt for PFOA and PFOS, and 1.0 (unitless) for PFNA, PFHxS, PFBS, and HFPO-DA. Furthermore, the proposed regulation required public water systems to monitor, notify the public, and reduce the levels of PFAS compounds in drinking water if they exceed the proposed standards.

More than a year later, on April 10, 2024, the EPA finalized the National Primary Drinking Water Regulations (NPDWR), which are aimed at public drinking water systems. Under the regulations five PFAS compounds are subject to enforceable limits; PFOA and PFOS have a limit of 4.0 ppt, and PFNA, PFHxS and HFPO-DA (GenX Chemicals) have a limit of 10 ppt. The EPA also set enforceable water concentration limits using a Hazard Index formula for mixtures of four PFAS; PFNA, PFHxS, PFBS and HFPO-DA (GenX Chemicals). EPA gave states 5 years to test their public drinking water systems and implement appropriate measures to come into compliance with the new standards. In May 2026, the Trump administration issued two proposed rules; one rescinds the MCLs for PFHxS, PFNA, HFPO-DA (GenX), and the Hazard Index mixture, while the other extends compliance deadlines for PFOA and PFOS. Despite these federal rollback efforts, Maine's drinking water standards are expected to remain unchanged because Maine's rules specifically reference the April 2024 federal limits. For more information, see the ["What's New in this Edition"](#) section at the top of this report.

4. PFOA & PFOS Designation as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Hazardous Substance

EPA has designated PFOA and PFOS as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances, effective July 8, 2024. Maine considers any substances deemed hazardous under CERCLA as a Maine hazardous substance regulated under the Maine Uncontrolled Hazardous Substance Sites Law.

5. National PFAS testing Strategy Test Order

On June 6, 2022, the EPA issued its first test order under the EPA's National PFAS Testing Strategy. The EPA's National PFAS Testing Strategy requires manufacturers to provide the EPA with toxicity data and information on various PFAS. The EPA has divided PFAS into categories based on structure, physical-chemical properties and existing test data on toxicity and will require test orders for each category. The EPA's first test order includes more than 2,000 PFAS chemicals. More information about the National PFAS strategy can be found [here](#).

6. Emerging Contaminant Funding

On June 15, 2022, the EPA announced that it is making available \$1 billion in grant funding through President Biden's Bipartisan Infrastructure Law to address PFAS and other emerging contaminants in drinking water. The goal of the funding is to benefit small or disadvantaged communities with planning, testing, and remediating emerging contaminants in drinking water. More information about the EPA's emerging contaminant funding can be found [here](#).

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PFAS Names and CAS Numbers

Perfluorobutanesulfonic acid (PFBS) CAS # 375-73-5, 59933-66-3

Perfluorooctanesulfonic acid (conjugate base perfluorooctanesulfonate) (PFOS) CAS # 1763-23-1

Perfluorooctanoic acid (PFOA) (conjugate base perfluorooctanoate) CAS # 335-67-1

Contact Information

If you have questions or concerns about PFAS issues, please contact one of our environmental law attorneys: [Lisa Gilbreath](#) at 207.791.1397 or [Georgia Bolduc](#) at 207.791.1249.

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Our environmental law team has authored a variety of alerts on PFAS in Maine. Please click any of the links below for more information.

[Maine PFAS Task Force Issues Report and Maine Legislature Considers Amending State's Superfund Law](#)

[PFAS Added to Toxic Release Inventory Reporting](#)

[Maine DEP Establishes Aggressive Requirement for PFAS Testing in Biosolids](#)

[Governor Mills Issues PFAS Executive Order; US EPA Issues Action Plan](#)

[PFAS - What's all the Fuss?](#)