

§1310-B-1. Land Application Contaminant Monitoring Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Fund" means the Land Application Contaminant Monitoring Fund under subsection 2. [PL 2021, c. 478, §1 (NEW).]

B. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in Title 32, section 1732, subsection 5-A. [PL 2021, c. 478, §1 (NEW).]
[PL 2021, c. 478, §1 (NEW).]

2. Land Application Contaminant Monitoring Fund. The Land Application Contaminant Monitoring Fund is established to be used by the department as a nonlapsing, revolving fund to test and monitor soil and groundwater for PFAS and other contaminants and for other related activities, including, but not limited to, abating or mitigating identified contamination and the effects of such contamination through the provision of access to safe drinking water, the installation of filter treatment systems or other actions.

A. The fund may accept revenue from any source, public or private, that may be available for carrying out the purposes of the fund. The department shall deposit with the Treasurer of State to the credit of the fund money in the fund not currently needed by the department to carry out the purposes of the fund, which may be invested as provided by law. Interest earned on investment of money under this paragraph must be credited to the fund. [PL 2021, c. 641, §6 (AMD).]

B. The department may transfer money in the fund in excess of the amounts the department anticipates to be necessary to carry out the purposes of the fund to the Uncontrolled Sites Fund under section 1364, subsection 6 for the purposes of testing, monitoring or treating land contaminated by PFAS. [PL 2021, c. 478, §1 (NEW).]

C. Beginning January 15, 2023, and every 2 years thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding the uses of the fund and a summary of contamination identified. After reviewing the report, the joint standing committee may report out legislation related to the report. [PL 2021, c. 478, §1 (NEW).]

[PL 2021, c. 641, §6 (AMD).]

3. Handling fee.

[PL 2021, c. 641, §7 (RP).]

4. Rules. The board may adopt rules necessary for the administration of the fund and any underlying program or purpose under or funded by the fund. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 641, §8 (AMD).]

SECTION HISTORY

PL 2021, c. 478, §1 (NEW). PL 2021, c. 641, §§6-8 (AMD).

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