



Town of Newcastle

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Kevin L. Sutherland - Town Manager

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FROM: Kevin L. Sutherland, Town Manager
TO: Newcastle Select Board
CC: Town Staff
DATE: March 25, 2024
RE: Town Manager Report

PFAS Round 2

Since our last meeting, the Town Office has been contacted regarding further state-wide testing for PFAs. The attached letter explains the state's efforts to start testing Tier III sites. I believe this is the next step in testing beyond the testing of sites near our landfill. I have not yet had a conversation with the DEP about what this might mean for Newcastle, but I wanted to make sure the Board (and the public) was aware. As advised by DEP, if you or anyone from the general public has questions – I am asked to reach out to the Deputy Commissioner.

Nomination Papers

This June there are several open seats on the ballot for local elected official positions. Two seats for the Select Board/Assessors/Overseers of the Poor, one seat for the School Board, and one seat as a Great Salt Bay Sanitary District Trustee.

Nomination Papers are available at the Town Office and the filing deadline is Friday, April 12, 2024, no later than 12:00 pm (noon). Submitted signatures need to be not less than 25, and not more than 100. Public Notices have been in the local newspaper.

Upcoming Agenda Items

Item 10 on the Select Board Agenda is a list of items staff hope to bring to your attention at a future meeting. This section of the Manager's Report tries to provide some initial background information to that list.

Fish Ladder Agreement

In summer of 2023, the Select Board met with Newcastle's representative to the Damariscotta Mills Fish Ladder Restoration Committee to begin discussions on an interlocal agreement. There seems to be some reluctance to formalize anything at the moment. Jim and I are still working toward a solution. A more comprehensive update is still pending.

Ground Lease Agreement

This item is related to the conversation we had on [November 13th](#) about the potential for a Cell Tower on our landfill. Just keeping this on the near-term list as we work through details with legal.

Harbor Management Ordinance

This item was discussed in a joint workshop with Damariscotta in mid-January. We're just waiting to get through the budget process to begin reviewing the suggested changes for a late summer/early fall goal of a Joint Special Town Meeting to address this Ordinance and hopefully any changes to the Shellfish Conservation Ordinance.



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

TRANSMITTED VIA ELECTRONIC MAIL

March 13, 2024

Kevin Sutherland, Town Manager
PO Box 386
Newcastle ME 04553

Re: Investigation of PFAS in Maine in Newcastle

Dear Kevin,

As a follow-up to to my call with Emma this morning, this letter is to inform you that the Maine Department of Environmental Protection (DEP) is initiating an investigation into the presence of per- and polyfluoroalkyl substances (PFAS) from the land application of sludge in Newcastle. This is part of the DEP’s statewide investigation for the implementation of [2021 Public Law Chapter 478, An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater](#), effective October 18, 2021.

The purpose of DEP’s investigation is to identify sites statewide that are impacted by PFAS, identify drinking water supplies that are impacted above Maine’s Interim Drinking Water Standard for PFAS, and provide impacted individuals with water that is below the standard.

Sludge application sites have been identified based on DEP licensing information. To designate the approximate schedule for sampling, the DEP prioritized all sludge sites across the state into four Tiers (I, II, III, IV) based upon the following criteria:

- The anticipated presence of high levels of PFAS in sludge applied at a location;
- The volume of sludge applied at a location; and/or
- The proximity of a site to drinking water supplies.

The investigation of Tier I sites began in December 2021. In August 2022, DEP began investigating Tier II sites. DEP has now begun researching and investigating Tier III sites. We anticipate this process will continue into 2024 and 2025. Please keep in mind that a site may include several physical locations and may also cross district, town, and county boundaries.

The DEP is working closely with the Maine Department of Agriculture, Conservation and Forestry (DACF) to identify sites with historical sludge application which are currently being used for the production of agricultural products. As a first step, DEP and DACF will work to verify application history and locations of spreading and stockpiles. DEP and DACF staff may

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Investigation of PFAS in Maine

reach out to municipalities to gather information that will help in our investigation. DEP will request permission to sample soils and groundwater from properties where sludge may have been

land applied. DEP will also request permission to sample and test drinking water supplies from individual homeowners in the direct vicinity of the site(s) for certain PFAS.

DEP will share the sample results with DACF who may recommend modifications to farming practices based on a careful review of the data. DACF may also recommend additional sampling, including the testing of feed and other on-farm products, and the testing of additional soils to gain insight into any potential impacts that PFAS may have at farms.

PFAS are considered emerging contaminants and are not currently regulated by the U.S. Environmental Protection Agency (U.S. EPA). In Maine however, emergency legislation became effective June 21, 2021, setting forth an interim drinking water standard of 20 parts per trillion for the sum of six PFAS (PFOA, PFOS, PFNA, PFHxS, PFHpA, and PFDA). This is described in [Resolve 2021, Chapter 82, Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants.](#)

We understand that you may have questions and concerns regarding our investigation. General questions about the investigation by DEP or that are being conveyed to you through your constituents should be directed to David Madore, Deputy Commissioner and Communications Director, David.Madore@maine.gov, 207-287-5842. You can also visit our webpage located at: <http://www.maine.gov/dep/spills/topics/pfas/index.html>. This webpage is updated as more information is made available.

If you have agricultural-related questions, please contact the Bureau of Agriculture, Food and Rural Resources, pfas.dacf@maine.gov, 207-287-4514. Thank you for your assistance in this important investigation.

Sincerely,



James C. Pollock
Bureau of Remediation and Waste Management
Phone: (207) 592-8343

eCopy: Tracy Kelly, DEP