

HOUSE BILL 925

M3

6lr2035
CF SB 719

By: ~~Delegate Stein~~ Delegates Stein, Behler, Foley, Holmes, Lewis, Odom, and Ziegler

Introduced and read first time: February 5, 2026

Assigned to: Environment and Transportation and Health

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2026

CHAPTER _____

1 AN ACT concerning

2 **Sewage Sludge – Per- and Polyfluoroalkyl Substances – Regulation**

3 FOR the purpose of establishing restrictions on the land application, on or after a certain
4 date, of sewage sludge ~~or products containing sewage sludge~~ with total
5 concentrations of certain regulated per- and polyfluoroalkyl substances equal to or
6 greater than certain levels; authorizing, on or before a certain date, a person to ~~blend~~
7 ~~sewage sludge from multiple sources~~ commingle sewage sludge for a certain purpose
8 and subject to certain regulations and requirements; establishing monitoring
9 protocols for certain per- and polyfluoroalkyl substances in certain sewage sludge ~~or~~
10 ~~products containing sewage sludge~~; authorizing the establishment of pretreatment
11 standards for certain industrial users that discharge certain per- and
12 polyfluoroalkyl substances at levels that exceed certain action levels; authorizing
13 certain local jurisdictions and pretreatment authorities to set certain rates and fees
14 for certain industrial users; encouraging sewage sludge generators to take certain
15 actions with respect to certain per- and polyfluoroalkyl substances; and generally
16 relating to per- and polyfluoroalkyl substances and sewage sludge.

17 BY repealing and reenacting, without amendments,

18 Article – Environment

19 Section 9–201(a), (l), and (m) and 9–230

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2025 Supplement)

22 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Environment
2 Section 9–201(k)
3 Annotated Code of Maryland
4 (2014 Replacement Volume and 2025 Supplement)

5 BY adding to
6 Article – Environment
7 Section 9–250
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2025 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That the Laws of Maryland read as follows:

12 **Article – Environment**

13 9–201.

14 (a) In this subtitle the following words have the meanings indicated.

15 (k) “Sewage” means[:

16 (1) Any human or animal excretion or water–carried domestic waste; or

17 (2) A mixture of industrial waste and any of the things in item (1) of this
18 subsection] **THE WATER–CARRIED DOMESTIC WASTE FROM RESIDENCES, BUILDINGS,**
19 **INDUSTRIAL ESTABLISHMENTS, OR OTHER PLACES.**

20 (l) “Sewage sludge” means any thickened liquid, suspension, settled solid, or
21 dried residue that a sewage treatment plant extracts from sewage.

22 (m) (1) “Sewage sludge generator” means a person who owns or operates a
23 facility that receives and processes sewage in this State or produces sewage sludge to be
24 utilized in this State.

25 (2) “Sewage sludge generator” includes:

26 (i) The Washington Suburban Sanitary Commission; and

27 (ii) The Maryland Environmental Service.

28 (3) “Sewage sludge generator” does not include the owner or operator of a
29 septic system.

30 9–230.

1 (a) (1) The Department of the Environment shall adopt regulations to carry
2 out this Part III of this subtitle.

3 (2) The Department of the Environment may not adopt a regulation or part
4 of a regulation that deals with the land application of sewage sludge without the approval
5 of the Department of Agriculture.

6 (b) In adopting regulations under this Part III and §§ 9–269 and 9–270 of this
7 subtitle, the Department of the Environment shall consider:

8 (1) Alternative utilization methods;

9 (2) Pathogen control;

10 (3) Advertising requirements for public hearings and public information
11 meetings;

12 (4) Performance bonds, liability insurance, or other forms of security;

13 (5) Procedures for notifying units of local government and other interested
14 parties; and

15 (6) Adequate standards for transporting sewage sludge, including
16 requirements for enclosing or covering sewage sludge during transportation.

17 (c) In addition to the considerations under subsection (b) of this section, in
18 adopting regulations for the land application of sewage sludge, the Department of the
19 Environment shall consider:

20 (1) Methods for calculating loading rates that:

21 (i) Will assure nondegradation of the groundwater supply; and

22 (ii) For agricultural land, shall be limited by the nutrient
23 requirements of crop or cover vegetation, as recommended by the Department of
24 Agriculture;

25 (2) The crops that are to be grown on land on which sewage sludge may be
26 applied;

27 (3) The nature of any nearby surface water or groundwater;

28 (4) The character of any affected area;

29 (5) The character of nearby existing or planned land uses and transport
30 routes;

1 (6) The nearness of the land on which sewage sludge may be applied to
2 sensitive areas, including flood plains, wetlands, and areas of critical concern;

3 (7) The definitions of:

4 (i) Sewage sludge that is unsuitable for application to agricultural
5 land;

6 (ii) Agricultural land;

7 (iii) Marginal land; and

8 (iv) Compost;

9 (8) Acceptable cumulative loading rates, including rates for nitrogen and
10 heavy metals;

11 (9) Special requirements of land used for producing tobacco; and

12 (10) Reasonable buffer areas to separate any home or other property from
13 land on which sewage sludge may be applied.

14 (d) (1) The Department shall adopt regulations to establish a mechanism for
15 determining annual generator's fees.

16 (2) The regulations shall provide for public input into the development of
17 fee schedules.

18 (3) The fee schedules shall take into account:

19 (i) The volume of sewage sludge generated by a sewage sludge
20 generator;

21 (ii) The method by which the sewage sludge is utilized;

22 (iii) The anticipated costs of monitoring and regulating sewage
23 sludge utilization sites;

24 (iv) The anticipated needs of the State's sewage sludge regulation
25 program; and

26 (v) The potential hazard of the sewage sludge generator's activities
27 to public health, safety, or welfare or to the environment.

28 **9-250.**

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) “COMMINGLE” MEANS TO MIX TREATED SEWAGE SLUDGE WITH
4 OTHER MATERIALS FOR THE PURPOSE OF REDUCING THE CONCENTRATION OF
5 REGULATED PFAS.

6 ~~(2)~~ (3) “CONCENTRATION OF REGULATED PFAS” MEANS THE
7 TOTAL CONCENTRATION, AS MEASURED IN ACCORDANCE WITH MONITORING
8 PROTOCOLS ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION, OF THE
9 FOLLOWING PER- AND POLYFLUOROALKYL SUBSTANCES:

10 (I) PFOA;

11 (II) PFOS; OR

12 (III) A MIXTURE OF PFOA AND PFOS.

13 ~~(3)~~ (4) “PFOS” MEANS PERFLUOROOCTANE SULFONIC ACID.

14 ~~(4)~~ (5) “PFOA” MEANS PERFLUOROOCTANOIC ACID.

15 (B) THIS SECTION APPLIES ~~ONLY TO THE LAND APPLICATION OF ALL~~
16 ~~SEWAGE SLUDGE AND PRODUCTS CONTAINING SEWAGE SLUDGE THAT ARE~~
17 ~~INTENDED FOR LAND APPLICATION~~ IN THE STATE.

18 (C) ON OR AFTER OCTOBER 1, ~~2027~~ 2028:

19 (1) A PERSON MAY NOT APPLY SEWAGE SLUDGE ~~OR A PRODUCT~~
20 ~~CONTAINING SEWAGE SLUDGE~~ TO AGRICULTURAL OR MARGINAL LAND IF THE
21 SEWAGE SLUDGE ~~OR PRODUCT CONTAINING SEWAGE SLUDGE~~ HAS A TOTAL
22 CONCENTRATION OF REGULATED PFAS EQUAL TO OR GREATER THAN 50 PARTS
23 PER BILLION; AND

24 (2) IF SEWAGE SLUDGE ~~OR A PRODUCT CONTAINING SEWAGE SLUDGE~~
25 HAS A TOTAL CONCENTRATION OF REGULATED PFAS THAT IS EQUAL TO OR
26 GREATER THAN 25 PARTS PER BILLION BUT LESS THAN 50 PARTS PER BILLION, A
27 PERSON MAY APPLY THE SEWAGE SLUDGE ~~OR PRODUCT CONTAINING SEWAGE~~
28 ~~SLUDGE~~ TO AGRICULTURAL OR MARGINAL LAND ONLY IN ACCORDANCE WITH
29 SUBSECTIONS (E) AND (F) OF THIS SECTION.

30 (D) (1) ON OR ~~BEFORE SEPTEMBER 30, 2029,~~ AFTER OCTOBER 1, 2028,
31 IF A SEWAGE SLUDGE GENERATOR DETERMINES, THROUGH MONITORING

1 PROTOCOLS ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION, THAT ITS
2 SEWAGE SLUDGE HAS A TOTAL CONCENTRATION OF REGULATED PFAS THAT IS
3 EQUAL TO OR GREATER THAN 25 PARTS PER BILLION BUT LESS THAN 50 PARTS PER
4 BILLION, SUBJECT TO THE REQUIREMENTS OF THIS SUBSECTION AND IN
5 ACCORDANCE WITH DEPARTMENT REGULATIONS:

6 (I) ~~A PERSON MAY BLEND SEWAGE SLUDGE FROM MULTIPLE~~
7 ~~SOURCES~~ FOR A PERIOD OF NOT MORE THAN 2 YEARS FOLLOWING THE DATE THE
8 DETERMINATION IS MADE, THE SEWAGE SLUDGE MAY BE COMMINGLED TO REDUCE
9 THE TOTAL CONCENTRATION OF REGULATED PFAS IN THE FINAL MATERIAL TO
10 LEVELS BELOW 25 PARTS PER BILLION; AND

11 (II) ~~SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE~~
12 ~~SLUDGE BLENDED~~ COMMINGLED IN ACCORDANCE WITH ITEM (I) OF THIS
13 PARAGRAPH MAY NOT BE SUBJECT TO THE TEMPORARY ALTERNATIVE
14 MANAGEMENT MEASURES SPECIFIED IN SUBSECTION (E) OF THIS SECTION.

15 (2) (I) A PERSON THAT ~~BLEND OR OTHERWISE~~ COMMINGLES
16 SEWAGE SLUDGE FOR THE PURPOSE OF LAND APPLICATION SHALL MONITOR FOR
17 THE PRESENCE OF PFOS AND PFOA AT LEAST ONCE PER MONTH, USING A
18 REPRESENTATIVE SAMPLE, IN ACCORDANCE WITH PROTOCOLS ESTABLISHED
19 UNDER SUBSECTION (G) OF THIS SECTION.

20 (II) IF THE TOTAL CONCENTRATION OF REGULATED PFAS IN
21 THE ~~BLENDED~~ COMMINGLED PRODUCT IS EQUAL TO OR GREATER THAN 25 PARTS
22 PER BILLION, THE PERSON:

23 1. SHALL IMMEDIATELY NOTIFY THE DEPARTMENT;
24 AND

25 2. MAY NOT APPLY THE ~~BLENDED~~ COMMINGLED
26 PRODUCT TO LAND UNTIL THE PERSON DEMONSTRATES, THROUGH ADDITIONAL
27 MONITORING, THAT THE TOTAL CONCENTRATION OF REGULATED PFAS IN THE
28 ~~BLENDED~~ COMMINGLED PRODUCT HAS BEEN REDUCED TO LEVELS BELOW 25 PARTS
29 PER BILLION.

30 (E) (1) THIS SUBSECTION APPLIES ONLY TO THE LAND APPLICATION ON
31 OR AFTER OCTOBER 1, 2028, OF SEWAGE SLUDGE ~~OR PRODUCTS CONTAINING~~
32 ~~SEWAGE SLUDGE THAT HAVE~~ HAS A TOTAL CONCENTRATION OF REGULATED PFAS
33 THAT IS EQUAL TO OR GREATER THAN 25 PARTS PER BILLION BUT LESS THAN 50
34 PARTS PER BILLION.

1 (2) ~~FOR A PERIOD OF NOT MORE THAN 12 MONTHS, AND PENDING THE~~
2 ~~DEVELOPMENT AND APPROVAL OF A MITIGATION PLAN~~ DURING THE DEVELOPMENT
3 AND IMPLEMENTATION OF THE SOURCE TRACKING STUDY AND MITIGATION PLAN
4 REQUIRED UNDER SUBSECTION (F) OF THIS SECTION, A PERSON MAY APPLY SEWAGE
5 SLUDGE ~~AND OTHER PRODUCTS~~ DESCRIBED UNDER PARAGRAPH (1) OF THIS
6 SUBSECTION TO LAND:

7 (I) AT A RATE THAT DOES NOT EXCEED 3 DRY METRIC TONS
8 PER ~~HECTARE~~ ACRE; AND

9 (II) SUBJECT TO:

10 1. THE SAME SETBACK REQUIREMENTS ESTABLISHED
11 IN REGULATION FOR CLASS B BIOSOLIDS; ~~AND~~

12 2. ADDITIONAL SETBACKS FOR LAND APPLICATION
13 NEAR PUBLIC AND PRIVATE WATER SUPPLY WELLS DEVELOPED BY THE
14 DEPARTMENT ~~AFTER CONSULTATION WITH ADJACENT LANDOWNERS AND COUNTY~~
15 ~~AND MUNICIPAL OFFICIALS FROM EACH LOCAL JURISDICTION LOCATED WITHIN 1~~
16 ~~MILE OF THE PROPERTY BOUNDARY;~~ AND

17 3. PARAGRAPH (3) OF THIS SUBSECTION.

18 (3) AT LEAST 14 DAYS BEFORE LAND APPLYING SEWAGE SLUDGE
19 DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LAND APPLIER
20 SHALL PROVIDE NOTICE OF THE CONCENTRATION OF REGULATED PFAS IN THE
21 SEWAGE SLUDGE TO:

22 (I) THE OWNER OR OPERATOR OF THE LAND ON WHICH THE
23 SEWAGE SLUDGE WILL BE APPLIED;

24 (II) THE OWNER OF EACH PARCEL OF LAND ADJOINING THE
25 LAND TO WHICH THE SEWAGE SLUDGE WILL BE APPLIED; AND

26 (III) THE LOCAL GOVERNMENT FOR EACH COUNTY AND
27 MUNICIPALITY IN WHICH THE LAND TO WHICH THE SEWAGE SLUDGE WILL BE
28 APPLIED IS LOCATED.

29 (F) (1) THIS SUBSECTION APPLIES ONLY TO A SEWAGE SLUDGE
30 GENERATOR THAT PRODUCES SEWAGE SLUDGE THAT IS INTENDED FOR LAND
31 APPLICATION.

32 (2) IF A SEWAGE SLUDGE GENERATOR DETERMINES, THROUGH
33 MONITORING PROTOCOLS ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION,

1 THAT ITS SEWAGE SLUDGE HAS A TOTAL CONCENTRATION OF PFAS THAT IS EQUAL
2 TO OR GREATER THAN 25 PARTS PER BILLION, THE SEWAGE SLUDGE GENERATOR
3 SHALL:

4 (I) COMPLETE A SOURCE TRACKING STUDY IN ACCORDANCE
5 WITH PARAGRAPH (3) OF THIS SUBSECTION; AND

6 (II) DEVELOP A MITIGATION PLAN IN ACCORDANCE WITH
7 PARAGRAPH (4) OF THIS SUBSECTION.

8 (3) A SOURCE TRACKING STUDY CONDUCTED UNDER THIS
9 SUBSECTION SHALL BE DESIGNED TO DETERMINE THE CONTRIBUTIONS OF
10 SOURCES OF PFOS AND PFOA TO THE WASTEWATER TREATMENT SYSTEM WITH
11 SUFFICIENT SPECIFICITY TO ALLOW THE SEWAGE SLUDGE GENERATOR AND THE
12 DEPARTMENT TO REDUCE OR PREVENT THE RELEASE OF PFOA AND PFOS FROM
13 CONTROLLABLE SOURCES IN ACCORDANCE WITH APPLICABLE LAW.

14 (4) (I) A MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION
15 SHALL:

16 1. BE DEVELOPED IN CONSULTATION WITH THE
17 DEPARTMENT;

18 2. IDENTIFY SIGNIFICANT SOURCES OF PFOA AND
19 PFOS LOADING TO THE WASTEWATER TREATMENT SYSTEM;

20 3. INCLUDE ACTIONS THAT THE SEWAGE SLUDGE
21 GENERATOR CAN IMPLEMENT, OR REQUIRE SOURCES OF PFOA AND PFOS
22 LOADING TO IMPLEMENT, TO REDUCE THE TOTAL CONCENTRATION OF REGULATED
23 PFAS TO LEVELS BELOW 25 PARTS PER BILLION;

24 4. TAKE INTO CONSIDERATION INNOVATIVE SOLUTIONS
25 AND LONG-TERM MITIGATION APPROACHES, CONSISTENT WITH APPLICABLE LAWS,
26 REGULATIONS, AND OTHER REQUIREMENTS; AND

27 5. INCLUDE A REASONABLE TIMELINE, NOT TO EXCEED
28 ~~2 YEARS~~ 5 YEARS FROM THE DATE A DETERMINATION IS MADE UNDER PARAGRAPH
29 (2) OF THIS SUBSECTION, FOR IMPLEMENTING THE MITIGATION PLAN.

30 (II) THE ELEMENTS AND STRATEGIES IDENTIFIED IN A
31 MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE:

1 **1. THE EXERCISE OF PRETREATMENT CONTROL**
2 **AUTHORITIES IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION TO REDUCE**
3 **LOADING FROM INDUSTRIAL USERS;**

4 **2. THE INSTALLATION OF TREATMENT SOLUTIONS AT**
5 **POINTS OF ENTRY OR CONCENTRATION IN THE SANITARY SEWER SYSTEMS THAT**
6 **CONTAIN SIGNIFICANT LEVELS OF PFOS OR PFOA; OR**

7 **3. THE INSTALLATION OF SYSTEM-SCALE TREATMENT**
8 **SOLUTIONS TO REDUCE THE TOTAL CONCENTRATION OF REGULATED PFAS TO**
9 **LEVELS BELOW 25 PARTS PER BILLION.**

10 **(III) IF, DURING THE MONITORING PERIOD FOR WHICH THE**
11 **TOTAL CONCENTRATION OF PFAS WAS DETERMINED TO BE EQUAL TO OR GREATER**
12 **THAN 25 PARTS PER BILLION, THE INDIVIDUAL SAMPLES WERE WITHIN THE MARGIN**
13 **OF ERROR OR DETECTION LIMIT FOR THE LABORATORY PERFORMING THE SAMPLE**
14 **ANALYSIS, THE MITIGATION PLAN SHALL INCLUDE ADDITIONAL TESTING**
15 **REQUIREMENTS AND TIMELINES DEVELOPED IN CONSULTATION WITH THE**
16 **DEPARTMENT.**

17 **(5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
18 **PARAGRAPH, A SEWAGE SLUDGE GENERATOR SHALL SUBMIT A MITIGATION PLAN**
19 **REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT WITHIN 6 MONTHS**
20 **AFTER COMPLETION OF THE SOURCE TRACKING STUDY REQUIRED UNDER THIS**
21 **SUBSECTION.**

22 **(II) A SEWAGE SLUDGE GENERATOR MAY REQUEST AND THE**
23 **DEPARTMENT MAY GRANT A SINGLE EXTENSION ON THE DEVELOPMENT AND**
24 **SUBMISSION OF A MITIGATION PLAN UNDER THIS SUBSECTION BASED ON:**

25 **1. EXIGENT CIRCUMSTANCES; OR**

26 **2. CONSIDERATIONS RELATED TO THE INVESTIGATION**
27 **AND DESIGN OF MANAGEMENT APPROACHES OR TREATMENT OPTIONS.**

28 **(6) (I) THE DEPARTMENT SHALL REVIEW EACH MITIGATION PLAN**
29 **SUBMITTED UNDER THIS SUBSECTION AND MAY APPROVE, DENY, OR SUGGEST**
30 **CHANGES TO THE MITIGATION PLAN.**

31 **(II) IN REVIEWING A MITIGATION PLAN SUBMITTED UNDER THIS**
32 **SUBSECTION, THE DEPARTMENT SHALL CONSIDER THE COST OF IMPLEMENTING**
33 **MITIGATION OPTIONS.**

1 (7) A SEWAGE SLUDGE GENERATOR:

2 (I) SHALL COMPLY WITH THE PROVISIONS OF AN APPROVED
3 MITIGATION PLAN; AND

4 (II) MAY NOT APPLY SEWAGE SLUDGE ~~OR A PRODUCT~~
5 ~~CONTAINING SEWAGE SLUDGE~~ TO LAND IF THE DEPARTMENT HAS DETERMINED
6 THAT THE GENERATOR IS OUT OF COMPLIANCE WITH THE PROVISIONS OF AN
7 APPROVED MITIGATION PLAN.

8 (8) THE DEPARTMENT SHALL PROVIDE A SEWAGE SLUDGE
9 GENERATOR WITH REASONABLE TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF
10 A SOURCE TRACKING STUDY AND MITIGATION PLAN UNDER THIS SUBSECTION.

11 (G) (1) (I) ~~FOR~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
12 SUBSECTION, FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH THE
13 REQUIREMENTS OF THIS SECTION, THE TOTAL CONCENTRATION OF REGULATED
14 PFAS IN SEWAGE SLUDGE ~~OR A PRODUCT CONTAINING SEWAGE SLUDGE~~ SHALL BE
15 DETERMINED BY TAKING THE AVERAGE OF SAMPLES TAKEN IN ACCORDANCE WITH
16 THIS SUBSECTION OVER THE IMMEDIATELY PRECEDING 12 MONTHS.

17 ~~(2)~~ (II) EACH SAMPLE SHALL BE TAKEN:

18 ~~(I)~~ 1. DURING NORMAL OPERATING CONDITIONS, AS
19 SPECIFIED IN DEPARTMENT REGULATIONS;

20 ~~(II)~~ ~~AT THE POINT WHERE SEWAGE SLUDGE LEAVES THE~~
21 ~~WASTEWATER TREATMENT FACILITY; AND~~

22 ~~(III)~~ 2. AT A FREQUENCY SPECIFIED BY THE DEPARTMENT IN
23 REGULATION, BUT NOT LESS THAN QUARTERLY.

24 (2) FOR A PERIOD OF NOT MORE THAN 12 MONTHS FOLLOWING THE
25 DATE THAT COMMINGLING OPERATIONS BEGIN, A COMMINGLING OPERATION MAY
26 USE A MASS BALANCE CALCULATION TO DETERMINE THE CONCENTRATION OF
27 REGULATED PFAS IN THE COMMINGLED PRODUCT.

28 (3) (I) SAMPLES SHALL BE ANALYZED ~~USING A METHOD~~
29 ~~APPROVED BY THE DEPARTMENT AND CONDUCTED BY A LABORATORY CERTIFIED~~
30 ~~TO PERFORM THE METHOD AND SUBJECT TO A LABORATORY LEVEL OF~~
31 ~~QUANTITATION FOR BIOSOLIDS ANALYSIS NOT TO EXCEED 2 PARTS PER BILLION;~~

1 **1. USING THE U.S. ENVIRONMENTAL PROTECTION**
2 **AGENCY'S METHOD 1633A OR AN EQUIVALENT METHOD APPROVED BY THE**
3 **DEPARTMENT;**

4 **2. AT A CERTIFIED OR ACCREDITED LABORATORY; AND**

5 **3. SUBJECT TO A REPORTING LEVEL ESTABLISHED BY**
6 **THE DEPARTMENT.**

7 **(II) THE DEPARTMENT SHALL ASSIST SEWAGE SLUDGE**
8 **GENERATORS IN IDENTIFYING QUALIFIED LABORATORIES UNDER THIS**
9 **PARAGRAPH.**

10 **(4) THE DEPARTMENT MAY ESTABLISH ADDITIONAL MONITORING**
11 **REQUIREMENTS FOR MATERIALS ~~BLENDED~~ COMMINGLED IN ACCORDANCE WITH**
12 **SUBSECTION (D) OF THIS SECTION.**

13 **(H) (1) IN ACCORDANCE WITH THE FEDERAL CLEAN WATER ACT, THE**
14 **DEPARTMENT AND PRETREATMENT AUTHORITIES MAY ESTABLISH PRETREATMENT**
15 **STANDARDS FOR INDUSTRIAL USERS THAT DISCHARGE PER- AND**
16 **POLYFLUOROALKYL SUBSTANCES AT LEVELS THAT EXCEED ACTION LEVELS**
17 **ESTABLISHED BY THE DEPARTMENT OR THE PRETREATMENT AUTHORITY UNDER**
18 **AN INDUSTRIAL PRETREATMENT PROGRAM.**

19 **(2) IF A PUBLICLY OWNED TREATMENT WORKS DOES NOT HAVE AN**
20 **INDUSTRIAL PRETREATMENT PROGRAM, AND IT IS DETERMINED THAT SEWAGE**
21 **SLUDGE PRODUCED FOR LAND APPLICATION BY THE PUBLICLY OWNED TREATMENT**
22 **WORKS HAS A TOTAL CONCENTRATION OF REGULATED PFAS EQUAL TO OR**
23 **GREATER THAN 25 PARTS PER BILLION, THE DEPARTMENT SHALL, IN**
24 **CONSULTATION WITH THE PUBLICLY OWNED TREATMENT WORKS, ~~DEVELOP~~**
25 **~~DISCHARGE PERMITS FOR INDUSTRIAL USERS IN A MANNER CALCULATED TO~~**
26 **~~ESTABLISH LOCAL LIMITS FOR PER- AND POLYFLUOROALKYL SUBSTANCES~~**
27 **~~CONSISTENT WITH EXISTING AUTHORITIES UNDER THE FEDERAL CLEAN WATER~~**
28 **ACT EVALUATE THE CONTRIBUTION FROM INDUSTRIAL USERS AND DETERMINE**
29 **APPROPRIATE CONTROLS TO MEET APPLICABLE STANDARDS.**

30 **(3) THE DEPARTMENT SHALL:**

31 **(I) ISSUE GUIDANCE TO SUPPORT PUBLICLY OWNED**
32 **TREATMENT WORKS IN THE IMPLEMENTATION OF THIS SUBSECTION; AND**

1 (II) PROVIDE REASONABLE TECHNICAL ASSISTANCE AS
2 REQUESTED BY LOCAL JURISDICTIONS IN THE EXERCISE OF LOCAL LIMITS
3 AUTHORITY UNDER THE FEDERAL CLEAN WATER ACT.

4 (4) A LOCAL JURISDICTION OR A PRETREATMENT AUTHORITY MAY
5 SET APPROPRIATE RATES AND FEES FOR INDUSTRIAL USERS, INDIVIDUALLY OR AS
6 A CLASS, THAT ARE DETERMINED TO DISCHARGE PER- AND POLYFLUOROALKYL
7 SUBSTANCES INTO THE WASTEWATER TREATMENT SYSTEM AT LEVELS THAT
8 NECESSITATE THE IMPLEMENTATION OF MITIGATION MEASURES.

9 (5) THIS SECTION MAY NOT BE INTERPRETED TO LIMIT THE
10 AUTHORITY OF A LOCAL JURISDICTION OR A PRETREATMENT AUTHORITY TO SET
11 LOCAL LIMITS THAT LEAD TO REDUCTIONS OF PER- AND POLYFLUOROALKYL
12 SUBSTANCES THAT EXCEED THE REDUCTIONS REQUIRED UNDER THIS SECTION.

13 (I) ALL SEWAGE SLUDGE GENERATORS ARE ENCOURAGED TO IDENTIFY
14 POTENTIAL SOURCES OF PFOA AND PFOS LOADING TO THEIR WASTEWATER
15 TREATMENT SYSTEMS AND TO TAKE STEPS TO REDUCE THE TOTAL CONCENTRATION
16 OF REGULATED PFAS IN THE SEWAGE SLUDGE PRODUCED BY THOSE SYSTEMS.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.