**NOTICE OF STATE AGENCY RULEMAKING**

**PUBLIC INPUT FOR RULES** A list of state agency rule proposals is published here each Wednesday. You can get a copy of a proposed rule by contacting the person listed in the notice. You can comment on a proposed rule by submitting a written comment to the agency or by attending the public hearing, if one is scheduled. If no hearing is scheduled, you can request one.  The agency must hold a hearing if it receives 5 or more requests.  If you have a disability and need assistance to participate in a hearing, you should tell the agency at least 7 days before the hearing. **ONLINE INFORMATION** Weekly notices, full text of adopted rules, and a list of agency rulemaking contacts are available at this website: [https://www.maine.gov/sos/cec/rules/index.html](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2Findex.html&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C645b27059f0346864d7008dc94834bf0%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638548538834447354%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=K93i9Iukz%2F4M1hnG1XnmVSNiEpRD2zB99vb6RheIZ8A%3D&reserved=0)

**PROPOSALS**

**AGENCY: 90-564 Clean-Up and Response Fund Review Board**

**CHAPTER NUMBER AND TITLE: Ch. 4, Oil Import Fees**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P099**

**BRIEF SUMMARY:** To amend the Oil Import Fees listed in Section 4 of the rule by increasing the fee from 18 cents per barrel of gasoline to 20 cents per barrel as well as increasing the fee from 6 cents per barrel for other petroleum products except unrefined crude oil, liquid asphalt, and number 6 fuel oil to 10 cents per barrel.

**PUBLIC HEARING** *(if any)*: No public hearing is scheduled. There is a 30-day written comment period. A public hearing will be held if the Department receives 5 or more requests before the end of the comment period.

**COMMENT DEADLINE:** 8/1/2025

**CONTACT PERSON FOR THIS FILING:**

Christopher Fournier

Maine Department of Environmental Protection

17 State House Station

Augusta, ME 04333

(207) 287-7860

Christopher.G.Fournier@Maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*:

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*:

**STATUTORY AUTHORITY FOR THIS RULE:** 38 M.R.S. §§ 568-B(2)(B)&(D) and 551(4).

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*:

**AGENCY WEBSITE:** [www.maine.gov/dep/rules](http://www.maine.gov/dep/rules)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Tom.Graham@Maine.Gov

**AGENCY:** **10-144 Department of Health and Human Services, Maine Center for Disease Control and Prevention**

**CHAPTER NUMBER AND TITLE: Ch. 231, Rules Relating to Drinking Water**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P077**

**BRIEF SUMMARY:** This Rule administers the State of Maine drinking water requirements for approximately 1,900 public water systems by the Department’s Maine CDC Drinking Water Program (Department), which has federal primacy. The Department proposes rule changes to reflect current practice, by removing any outdated language and meet a Legislative Resolve approved by emergency on June 21, 2021: ***Resolve to Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants*** (Resolves 2021, ch. 82; S.P. – LD 129), which requires public water systems to test and monitor drinking water for per- and polyfluoroalkyl substances (PFAS). The Department also proposes to incorporate the recently announced by USEPA in April 2024 for federal PFAS standards into this Maine rule EPA for six PFAS compounds. Community public water systems, non-transient non-community systems, and bottled water suppliers will be required to test for PFAS and report their results to the Department, resulting in possible mitigation, if levels are reported above certain levels. The Department also proposes to require seasonal transient public water systems and all community public water systems to test for total coliform on a monthly basis, to further protect public health and alert the Department to possible bacterial contamination quicker. The Department proposes to add a definition for “common scheme of development” to clarify its process to identify and regulate public water systems, and finally, the Department proposes a new rule title to reflect Maine CDC rulemaking formatting convention.

**PUBLIC HEARING:** In response to requests by more than five interested persons, per 5 MRS § 8052(1), the Department will hold a public hearing on Monday, July 21, 2025, 9:00 AM to 11:00 AM at 109 Capitol Street, Conference Room A & B, Augusta, Maine.

**COMMENT DEADLINE:** The Department extends the comment deadline for this rulemaking to July 31, 2025, due to the public hearing.

**CONTACT PERSON FOR THIS FILING:** Andrew Hardy, 11 SHS-286 Water Street, Augusta, ME 04333-0011, (207) 287-4490, andrew.hardy@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:** N/A

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:**The Department is estimating that mitigation methods necessary to reduce or remove PFAS as required by this rule would result in a one-time capital expenditure of at least $50,000,000 (50 million dollars). This amount is in total for Maine’s Public Water Systems. The $50M, when combined with federal dollars, would result in all remaining untreated Maine Public Water Systems with PFAS levels above proposed Maximum Contaminant Levels to be treated. Additionally, it is estimated that the operation and maintenance costs for the approximately 130 Public Water Systems in Maine could range from $1,000 to $100,000 annually.

**STATUTORY AUTHORITY FOR THIS RULE:** 22 MRS §§2611, 2615(5), 2615-A(4), 2617(3), 2618, 2620(2), 2620-C, 2659, 2660-E(1)

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:** N/A

**AGENCY WEBSITE:** <http://www.maine.gov/dhhs/mecdc/rules/>

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** Emily.a.cathcart@maine.gov

**AGENCY: 01-672 Department of Agriculture, Conservation, and Forestry, Maine Land Use Planning Commission**

**CHAPTER NUMBERS AND TITLES:**

**Ch. 2, Definitions**

**Ch. 10, Land Use Districts and Standards**

**TYPE OF RULES: Routine Technical**

**PROPOSAL FILING NUMBERS: 2025-100 (Ch. 2), 2025-101 (Ch. 10)**

**BRIEF SUMMARY:** The Land Use Planning Commission is proposing these amendments to improve efficiency and clarity in siting, evaluating, and permitting solar energy generation facilities and battery energy storage system facilities. The primary objectives of this rulemaking are to clarify definitions for solar energy generation facilities, define battery energy storage system facilities, specify which Land Use subdistricts will allow battery energy storage system facilities, add an additional subdistrict that will allow small scale solar energy generation facilities, introduce standards for solar energy generation facilities and battery energy storage system facilities, and introduce standards for decommissioning these facilities.

**PUBLIC HEARING *(if any)*:** Not applicable; a public hearing has not been scheduled

**COMMENT DEADLINE:**

Written comments must be submitted on or prior to August 18, 2025;
Written rebuttal comments must be submitted on or prior to September 2, 2025.

**CONTACT PERSON FOR THIS FILING:** Megan Lamb, 106 Hogan Road, Bangor, ME 04401; 1 (207) 446-8823; Megan.Lamb@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** ***(if different)*:**

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** ***(if any)*:** Revisions will not have a fiscal impact.

**STATUTORY AUTHORITY FOR THIS RULE:** 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** ***(if different)*:**

**AGENCY WEBSITE:** <https://www.maine.gov/dacf/lupc/laws_rules/proposed_rules/rules.shtml>

E**-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** Timothy.Beaucage@maine.gov

**AGENCY: 01-672 Department of Agriculture, Conservation, and Forestry, Maine Land Use Planning Commission**

**CHAPTER NUMBERS AND TITLES:**

**Ch. 2, Definitions**

**Ch. 10, Land Use Districts and Standards**

**TYPE OF RULES: Routine Technical**

**PROPOSAL FILING NUMBERS: 2025-102 (Ch. 2), 2025-103 (Ch. 10)**

**BRIEF SUMMARY:** The Maine Land Use Planning Commission is proposing miscellaneous revisions to Chapter 2 and Chapter 10. The proposed revisions include replacing an existing definition of “campsite” with “minor campground” in Chapter 2 to align with recent statutory changes, and creating a new definition of “campsite” to maintain continuity with the Commission’s other existing rules. The proposed revisions would also change the deadline for filing a development permit following establishment of a Planned Development (D-PD) or Planned Recreational Facility Development (D-PR) subdistrict from 18 months to 5 years to allow for better planning outcomes. Three documents incorporated by reference would be updated to more recent available versions, and the rule changes would clarify how the public can access these documents. Other proposed changes would improve rule alignment with other recent changes to the LUPC statute and rules, and would improve formatting, consistency, clarity, and readability. All proposed revisions are routine in nature.

**PUBLIC HEARING *(if any)*:** Not Applicable; a public hearing has not been scheduled.

**COMMENT DEADLINE:**

Written comments must be submitted on or prior to Monday, August 4, 2025;
Written rebuttal comments must be submitted on or prior to Monday, August 11, 2025.

**CONTACT PERSON FOR THIS FILING:** David Ludwig, Senior Planner, Land Use Planning Commission; 18 Elkins Lane, 22 State House Station, Augusta, Maine 04333; Fax: 207-287-7439; TTY: Maine Relay 711; David.Ludwig@maine.gov; Phone: 207-441-2175

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:**  Not applicable.

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:** Not applicable. 12 M.R.S. § 685-A(7-A)(B)

**STATUTORY AUTHORITY FOR THIS RULE:** 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:** Not applicable.

**AGENCY WEBSITE:** <https://www.maine.gov/dacf/lupc/>

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** Timothy.Beaucage@maine.gov

**ADOPTIONS**

**AGENCY: 02-380 Department of Professional and Financial Regulation, State Board of Nursing**

**CHAPTER NUMBER AND TITLE: Ch. 14, Ethical Standards of Practice for Nurses**

**ADOPTION FILING NUMBER: 2025-133**

**CONCISE SUMMARY:**

The adopted rule establishes the American Nurses Association Code of Ethics as an ethical standard of practice for licensees. The rule incorporates the generally accepted Code of Ethics for Nurses, 2025 Edition, Copyright © 2025, American Nurses Association, by reference.

**EFFECTIVE DATE: Tuesday, July 1, 2025**

**AGENCY CONTACT PERSON:** Amanda L Boulay, MSN, RN

AGENCY NAME: Maine State Board of Nursing

ADDRESS: 151 State House Station

161 Capitol St

Augusta ME 04330

TELEPHONE: 207-287-1147

**AGENCY: 99-346 Maine State Housing Authority**

**CHAPTER NUMBER AND TITLE: Ch. 24, Home Energy Assistance Program Rule**

**ADOPTION FILING NUMBER: 2025-135**

**CONCISE SUMMARY:**

This replacement rule repeals and replaces in its entirety the current Home Energy Assistance Program Rule. The rule establishes standards for administering fuel assistance, emergency fuel assistance, TANF Fuel Supplemental Benefits, weatherization, and heating system repair and replacement funds to income eligible households in the State of Maine. This replacement rule: changes the ECIP component to one benefit instance per program year, makes minor changes to documentation requirements for citizenship, identity and social security number verification, increases the allowable time to return documentation for an application, updates income documentation and incorporates language to provide clarity and continuity between the rule and the State Plan, adds direct checks for clients that use Wood Pellets, Corn, and Bio-Bricks, and adds a quality control requirement for the direct checks, edits the CHIP uses language to eliminate specific repairs, adds clarification for the solicitation and use of price quotes for CHIP repairs, and makes minor formatting and grammar edits.

**EFFECTIVE DATE: Tuesday, July 1, 2025**

**AGENCY CONTACT PERSON:** Ashley Carson, Chief Counsel

AGENCY NAME: Maine State Housing Authority

ADDRESS: 26 Edison Drive

 Augusta, Maine 04330-6046

TELEPHONE: (207) 624-5728 (telephone), or Maine Relay 711

**AGENCY:** **12-179 Department of Labor, Board of Occupational Safety and Health**

**CHAPTER NUMBER AND TITLE: Ch. 3, Occupational Safety and Health Standards for Construction Industry Employment in the Public Sector**

**ADOPTION FILING NUMBER: 2025-136**

**CONCISE SUMMARY**:

The purpose of this chapter is to incorporate by reference certain rules governing Occupational Safety and Health in construction industry employment as promulgated by the Federal Occupational Safety and Health Administration at 29 CFR Part 1926 as most recently amended as of January 13, 2025. This change updates the construction standard to require personal protective equipment (PPE) to properly fit the employee.

**EFFECTIVE DATE**: **Monday, June 30, 2025**

**AGENCY CONTACT PERSON:** Kate Burkhart, Director

AGENCY NAME: Department of Labor

ADDRESS:45 State House Station

Augusta, ME 04333-0045

TELEPHONE:

207-623-7947

**AGENCY:** **10-144 Department of Health and Human Services, Office for Family Independence**

**CHAPTER NUMBER AND TITLE: Ch. 331, Public Assistance Manual Temporary Assistance for Needy Families (TANF) Manual (Chapter II, TANF Rule #124 – COFA Update)**

**ADOPTION FILING NUMBER: 2025-137**

**CONCISE SUMMARY:**

The adopted rule updates Chapter II, Eligibility Requirements (Non-Financial) consistent with the Consolidated Appropriations Act of 2024, Public Law 118-42. The adopted rule changes provide clarity on eligibility for citizens of countries governed by the Compacts of Free Association (COFA).

**See** [**https://www.maine.gov/dhhs/about/rulemaking**](https://www.maine.gov/dhhs/about/rulemaking) **for rules and related rulemaking documents.**

**EFFECTIVE DATE**: **Tuesday, July 1, 2025**

**AGENCY CONTACT PERSON:**

Alexandria Lauritzen, TANF Program Manager

Office for Family Independence

Department of Health & Human Services

109 Capitol Street

Augusta, ME 04330-6841

Phone: (207) 215-7496/ Fax: (207)287-3455

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**Alexandria.Lauritzen@maine.gov**

**AGENCY:** **10-144 Department of Health and Human Services, Office for Family Independence**

**CHAPTER NUMBER AND TITLE: Ch. 609, Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Rules (SNAP E&T Rule #8 – Provider Determination)**

**ADOPTION FILING NUMBER: 2025-138**

**CONCISE SUMMARY:**

The adopted rule effectuates updates to 10-144 C.M.R. Ch. 609; Supplemental Nutrition Assistance Program – Employment and Training (SNAP E&T) Rules consistent with 7 C.F.R. § 273.7(c)(18). The adopted rule changes provide greater clarity on the SNAP E&T Provider Determination process. Clarifying language was added to Section 7: PROVIDER DETERMINATION detailing the process that E&T Providers must use to assess Participant fitness for SNAP E&T and notify the State Agency when Participants are no longer suited.

The adopted rule changes to SECTION 8, PARTICIPANT REIMBURSEMENT SERVICES create consistency with other Department of Health and Human Services, Office for Family Independence employment and training programs and the Maine Department of Labor Competitive Skills Scholarship Program by increasing caps on SUPPORT SERVICE LIMITS. Mileage reimbursement updates are effective retroactive to November 1, 2024. Retroactive rulemaking is permissible under 22 M.R.S. § 42(8) as this update provides a benefit to SNAP E&T Recipients or beneficiaries and does not adversely impact applicants, Participants, beneficiaries, or providers.

In addition, the adopted rule includes non-substantive changes to the SNAP E&T 8 rules to improve readability and consistency.

**See** [**https://www.maine.gov/dhhs/about/rulemaking**](https://www.maine.gov/dhhs/about/rulemaking) **for rules and related rulemaking documents.**

**EFFECTIVE DATE: Tuesday, July 1, 2025**

**AGENCY CONTACT PERSON:**

Patricia Dushuttle, Special Projects Program Manager - SNAP

Office for Family Independence

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