

Maine Grapples With Alternate Disposal After Biosolids Land Application Ban

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Post

Maine's environment commissioner says it is "too soon to tell" whether the state's novel ban on land application of biosolids is a feasible long-term solution to curb PFAS contamination on farms as the state continues to struggle with limited landfill capacity and few alternative disposal options, though regulators are seeing new technologies evolve.

"It [has] put us in a really tough spot, but we are absolutely seeing a market response to that in terms of potential technologies and investments. But we're still in the 'struggling to manage it' phase," Melanie Loyzim, commissioner of Maine's Department of Environmental Protection (DEP), told *Inside PFAS Policy* in a Dec. 2 interview.

Years before most states began sounding the alarm on per- and polyfluoroalkyl substances (PFAS) in biosolids, Maine in 2022 became the first to ban the land application of biosolids to combat the spread of PFAS in agriculture.

Though environmentalists have generally championed Maine's ban on biosolids land application, while encouraging other states to adopt the same measure, utilities and others have criticized such broad bans. They emphasize that not only should regulators limit any application restrictions to biosolids with high PFAS concentrations, but also that there are not many other effective disposal options for biosolids other than land application.

Such concerns were reiterated in response to the Biden EPA's risk assessment of two legacy PFAS in biosolids, with some groups warning that the report, which they argue overstated the risks from biosolids, would inappropriately serve as the basis for [an overly broad ban on land application](#).

Now Maine, after banning the practice, is facing the limits of its current landfill capacity. [A 2024 DEP study](#) found that the state was bumping up to the limits of its current landfill capacity due to the land-application ban, with one state-owned facility slated to be at capacity by 2028 unless it was expanded.

"For biosolids[,] there is no current or proposed alternative outlet in the state that would be able to accept the tonnage currently handled at" the Juniper Ridge Landfill (JRL), the report warned.

As a result, the report recommended that the state seek to expand JRL and other landfills permitted to receive biosolids, ensure availability of "bulking agents" that are added to sludge before disposal, and increase the use of dewatering facilities to reduce the volume of biosolids added to landfills.

Loyzim noted that the state primarily manages biosolids through landfill disposal, since Maine does not have any sewage sludge incinerators -- so the ban on land application left Maine "with very few options."

"We at DEP have been hearing from a lot of different companies who are developing technologies to do other things with sludge, either to reduce its water content, to reduce its PFAS content, to try to turn it into things like biochar," Loyzim said. "There were a lot of exciting possibilities on the horizon. We're unfortunately in sort of that pinch point of having adopted a regulatory strategy that is driving the market, and investors are looking at that and willing to make that investment, but it's expensive."

Furthermore, Loyzim noted, biosolids are generated primarily by municipal wastewater treatment plants, including those serving lower income communities where "it's really hard for . . . communities to have the rates increase."

"So, when we change the way that that sludge has to be managed, it increases rates on some citizens in Maine who can't afford that increase," Loyzim said.

To that end, Loyzim in October during an environment conference [cautioned other states](#) that may be considering a ban on biosolids land application due to PFAS concerns, suggesting that they should first determine the availability of

alternate disposal options before banning the practice.

Need For Research

In response to a question from *Inside PFAS Policy* about whether Maine environment regulators regret the ban on land application given the ongoing struggles with disposal, Loyzim said it would be better answered by the legislators “who actually made the decision to pass the ban.”

“I think for us, we recognize the difficulties on both sides,” Loyzim said. “In the locations where we were seeing contamination associated with the land application, that’s a really hard thing for people to deal with there, and it creates a risk, potentially, that Maine citizens were not willing to take on.”

“It would have been hard to continue with land application if we couldn’t make people feel like it was something that was still safe to have happening, and it was difficult for us to be able to provide that reassurance,” Loyzim said.

To some extent, Loyzim agreed that states should determine how to manage biosolids based on their own resources and available disposal options, but she also pointed out that ultimately all states depend on research into PFAS science.

“One of the things that we all rely on is the science that can be generated at the federal level that states don’t tend to have the resources to generate,” Loyzim said. “One of the roles that [the] federal government has been really helpful for us in is doing that kind of scientific work and then enabling . . . the federal government to provide a minimum set of standards. States can always go beyond that if they want to, but to have a baseline to work from is really important. It provides some consistency, it provides a backstop.”

But Loyzim and other state regulators have already raised concerns about how the cuts to the Trump EPA’s research office will likely stall [state PFAS efforts](#). -- Pavithra Rajesh (prajesh@iwpnews.com)

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