



**Testimony of the Maine Organic Farmers and Gardeners Association
in Support of LD 222 - *An Act to Establish a Take-back and Disposal Program for
Firefighting and Fire-suppressing Foam
to Which Perfluoroalkyl and Polyfluoroalkyl Substances Have Been Added***

February 26, 2025

To: Senator Denise Tepler, Representative Vicki Doudera and members of the Joint Standing Committee on Environment and Natural Resources

Fr: Heather Spalding, Deputy Director, Maine Organic Farmers and Gardeners Association

On behalf of the Maine Organic Farmers and Gardeners Association (MOFGA) I am submitting comments in support of LD 222 - *An Act to Establish a Take-back and Disposal Program for Firefighting and Fire-suppressing Foam to Which Perfluoroalkyl and Polyfluoroalkyl Substances [PFAS] Have Been Added*. We thank Representative Dan Ankeles for his sponsorship of this bill and his leadership with related bills to address the grave threat of PFAS contamination from spills of aqueous film-forming foam (AFFF), like the horrible incident that happened at Brunswick Landing this past August.

About MOFGA: A broad-based community, MOFGA is transforming our food system by supporting farmers, empowering people to feed their communities, and advocating for an organic future. MOFGA certifies 537 organic farms and processing operations representing more than \$120 million in sales. We're working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people, and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.

MOFGA's Interest In This Legislation: Just as firefighters are on the front lines of exposure to PFAS and other hazardous chemicals, farmers are bearing the brunt of PFAS exposure in the food and agriculture system. For decades, airports and military sites required stockpiles of AFFF for emergencies and training exercises, exposing firefighters, service members and their families, and surrounding communities to PFAS. Firefighters have higher rates of cancer than the general public because of exposure to substances like AFFF. Though safer alternatives are available, and manufacturers are required to recall toxic foam, large quantities of AFFF are still being stored at sites in Maine and around the country. When 1,450 gallons of AFFF concentrate and 50,000 gallons of water spilled at Brunswick Landing in Augusta 2024, there was an outcry from MOFGA members – farmers, gardeners, homesteaders, eaters – who have been engaging in efforts to phase out PFAS in our day to day lives. Once again Maine was in national headline news, the incident being largest toxic foam spill in Maine history and the sixth-largest nationwide. AFFF contaminated the public sanitary



sewer system that discharges into the Androscoggin River, contaminating nearby waterways and presenting a serious, long-term threat to soil, groundwater, air quality, and public health.

Uncontained spills like the one at Brunswick Landing spread PFAS through the air and water, and contaminate the precious soil that produces our food. A study conducted by the Environmental Working Group found that, “the U.S., the Defense Department has contaminated potentially thousands of private drinking water wells with dangerous amounts of... PFAS.”¹

Since 2016, when PFAS was first found to have contaminated water, milk and soils at a Maine dairy farm, MOFGA has worked closely with farmers experiencing PFAS contamination. MOFGA farmer members and staff were deeply involved in the initial advocacy creating the PFAS Fund, and we submitted comments on PFAS Plan drafts. MOFGA has expended significant staff time and financial resources helping farmers deal with the devastating consequences of PFAS contamination, including by fundraising and administering with the Maine Farmland Trust an emergency relief fund as a bridge to the State’s efforts to stand up publicly funded assistance.² Through this fund, financial assistance has been provided to more than 100 Maine farmers to investigate PFAS contamination risks, and to help farmers and farm workers cope with stress related to contamination.

Unfortunately, adhering to organic practices has provided no guarantee that PFAS contamination won’t impact an organic farm business. Indeed, over the past several years (and the investigation continues) organic farms have been found with PFAS contamination, some of them severely affected. Some of these farmers and their family members have been found to have high levels of PFAS in their bodies. Some farmers have had to shut down their businesses because contamination from “forever” PFAS is so extensive.

The legacy of sludge spreading is not the only cause of PFAS contamination in our food and agriculture systems. We know that some crops have been contaminated even though the fields on which they were grown were not spread with sludge – the sources are many, but contaminated irrigation water is often the culprit. There are an estimated 50,000 gallons of AFFF stored at sites across Maine, and there are no coordinated systems for their collection and management. LD 222 provides a critical opportunity for Maine to turn off another PFAS tap, and prevent further contamination of our air, water and soil. The success of Maine’s proactive policies like prohibiting land application of sludge and the PFAS Advisory Fund have laid the groundwork for more programs to make Maine safer and healthier.

Conclusion: Banning the use of firefighting foam that contains PFAS is one of the many proactive measures that serve as model legislation for other states and the federal government. LD 222 would take the next critical step for dealing with AFFF stockpiles and preventing disasters like the one that happened in Brunswick last summer. MOFGA is so grateful to this committee for the dedication and tireless efforts that you have put into mitigating and preventing further PFAS contamination. We urge you to pass this legislation. Thank you.

¹ 720 Military Sites With Known or Suspected Discharges of PFAS. Environmental Working Group. Interactive map, including sites in Maine. <https://www.ewg.org/interactive-maps/2020-military-pfas-sites/map/>

² <https://www.mofga.org/pfas/pfas-emergency-relief-fund/>