



Testimony to the Joint Standing Committee on Environment and Natural Resources  
in support of  
LD 1273, *An Act to Exempt Some Businesses from Certain Laws Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in Accordance with the Size of the Business*  
LD 1537, *An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding*

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Amy Winston, Senior Director, State Policy  
[Amy.Winston@ceimaine.org](mailto:Amy.Winston@ceimaine.org)

Senator Brenner, Representative Gramlich, and Honorable Members of the Committee on Environment and Natural Resources:

My name is Amy Winston and I live in Edgecomb. I am testifying in support of LDs 1273 and 1537 on behalf of [Coastal Enterprises, Inc. \(CEI\)](#). Founded in 1977, CEI is a non-profit community development corporation (CDC) and community development financial institution (CDFI) that works to build a just, vibrant, and climate resilient future for people in communities in Maine and other rural regions. We do this by integrating financing, business and industry expertise, and policy solutions. CEI envisions a world in which communities are economically and environmentally healthy, enabling all people, especially those with low incomes, to reach their full potential.

Maine can continue to support systemic change by limiting the use of and trade in Maine of products with intentionally added PFAS. To address PFAS contamination, the legislature has already enacted a number of recent laws, including LD 1503, *An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution*, in the 130<sup>th</sup> Maine Legislature, enacted as 38 MRSA §1614. This statute, among other things, defines what qualifies as a product containing PFAS; establishes a notification process for manufacturers intentionally using PFAS; includes prohibitions on sales of certain products containing PFAS, effective January 1, 2023; and implements a PFAS source reduction program.

Both LD 1273 and LD 1537, if enacted, would amend 38 MRSA §1614 in important ways. LD 1273 would carve out an exemption for small businesses—those with fewer than 10 employees with less than \$1 million in annual revenue—from the requirements of PFAS product testing outlined in the statute. As an organization that supports small business in the state, CEI supports this amendment as it insulates small businesses from the liability and expense of a solution to a pernicious problem that they did little to create and perpetuate. By focusing PFAS testing and reporting on larger businesses who are responsible for most of the PFAS contamination, this proposal captures the original intent of the law to focus these requirements on large manufacturers and retailers to leverage the most change in eradicating the use of PFAS.

LD 1537 also makes several important changes to 38 MRSA §1614. The proposed bill would require the submission of additional information from businesses reporting PFAS in their products; extend the deadline for reporting PFAS in products until October 1, 2023; allow for the Department of Environmental Protection (DEP) to add and exempt certain product categories from PFAS reporting requirements; appropriate \$505,797 to the Maine Department of Environmental Protection (DEP); and clarify packaging requirements. This bill also exempts smaller businesses – those with under \$20 million in sales. CEI supports these important improvements and modifications to 38 MRSA §1614. The



information gathering provisions that would be required by LD 1537, and allocation for remediation and waste management will serve to better curb the spread of PFAS throughout the state. Extending the deadline also has the benefit of providing time for businesses and the state to adjust and respond to the changes made by 38 MRSA §1614.

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) pollution is a serious health and environmental concern for Maine people, with significant economic consequences for farmers and food producers, fishermen and outfitters for whom the natural resource-based economy is as much a way of life as a livelihood. PFAS include over 9,000 endocrine disrupting chemicals that have been used by industry and government to improve functionality of consumer products from stain resistant furniture to Teflon pans, waterproof outdoor gear, and takeout containers. They are carcinogenic and linked to negative health effects from increased cholesterol to low birthweight, early puberty, liver and thyroid disorders, lower vaccine response and increased risk of birth defects. Their prevalence and persistent use undermine strategic work that fosters healthy early childhood development. Known as “forever” and “everywhere” chemicals, because of their prevalence and the protracted time it takes for these molecules to breakdown, PFAs are widespread, with their effects manifest in food and soil, drinking water, and nonhuman animals in addition to human beings. Chemicals are ingested when people or animals come in contact with products and packaging containing PFAS. Exposure begins before birth (in utero). Children and pregnant persons, and people with low incomes, are especially vulnerable.

Testing and mitigation are expensive. Current research by the NYU School of Medicine<sup>1</sup> estimates the national economic cost of health care and lost worker productivity that resulted from the top five medical conditions with the strongest association with PFAS exposure – low birth weight, childhood obesity, kidney and testicular cancer, thyroid disorder - at \$5.25 billion. When the scope of study was expanded to include eight additional conditions linked to PFAS exposure, the annual disease burden and associated social costs of exposure to PFAS reached \$62.6 billion – over the lifetime of the study population of 5,000.

Regulatory action to limit ongoing PFAS use, eradicate contamination, and replace these chemicals with safer alternatives is justified given the economic and medical risks of allowing them to persist in the environment. Additionally, there are substantial economic and climate benefits to investing in clean consumer goods. While PFAS manufacturers value the benefit and use of these polymers in consumer goods and industrial processes at \$2 billion a year<sup>2</sup> this estimate does not count long-term and widespread costs which are routinely externalized and disproportionately experienced by people of color and people in low-income communities. There are costs associated with this short-term thinking, which prioritizes the benefits and conveniences of PFAS over the costs that communities and governments will bear because of the prolonged and widespread use of these compounds.

For these reasons we urge you to support both LD 1273 and LD 1537. Thank you for considering this testimony.

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<sup>1</sup>Obsekov, V. et.al. 2022. [Leveraging Systematic Reviews to Explore Disease Burden and Costs of Per- and Polyfluoroalkyl Substance Exposures in the United States | SpringerLink](#). *Exposure and Health*. Springer 26 July 2022.

<sup>2</sup> [Cordner, Alissa, et al. 2021. “The True Cost of PFAS and the Benefits of Acting Now.” \*Environmental Science and Technology\* 55\(14\): 9630-33.](#)