



Honorable Joe Baldacci and Honorable Michele Meyer
Co-Chairs, Joint Committee on Health and Human Services
Maine Legislature
State House Station
Augusta, ME 04333

Electronic Delivery

RE: Oppose Maine LD 75/ SP 47 *An Act to Establish Maximum Contaminant Levels Under the State's Drinking Water Rules to Prohibit Certain Perfluoroalkyl and Polyfluoroalkyl Substances*

April 28, 2023

Dear Co-Chairs Baldacci and Meyer and Members of the Health and Human Services Committee,

The American Chemistry Council (ACC) appreciates the opportunity to submit the following comments regarding LD 75/ SP 47, legislation that would amend the law authorizing adoption of state drinking water standards to require maximum contaminant levels (MCLs) of zero for six specific chemicals: PFOS, PFOA, PFHxS, PFNA, PFHpA, PFDA.

In March 2023, the federal EPA announced the proposed National Primary Drinking Water Regulation (NPDWR) for six PFAS with the public comment period closing on May 30, 2023. The accompanying proposed rule would also require public water systems to monitor for these PFAS; notify the public of the levels of these PFAS; and reduce the levels of these PFAS in drinking water if they exceed the proposed standards. In developing the proposed rule, the EPA has engaged in stakeholder engagement activities and followed a regulatory process in alignment with the Safe Drinking Water Act (SDWA).

ACC respectfully requests that the state of Maine await the outcome of the proposed federal rulemaking, and if the EPA fails to adopt a final rule by 1/1/25, urges the state to use a science-based framework to pursue drinking water standards. It is neither technically feasible nor scientifically accurate to require MCLs of zero for the six listed PFAS nor does the proposal take into consideration the significant impacts on water utilities and ratepayers.

The federal Safe Drinking Water Act requires that MCLs be set at a level that is "economically and technically feasible" for public water systems to attain. Regarding the economic feasibility of the MCLs, Maine has not estimated state-wide costs of compliance nor has there been information provided on the costs for individual water systems or for the customers of those systems. Without these data it is not possible to determine the affordability of the MCLs.

For these reasons, ACC respectfully opposes LD 75/SD 47. Thank you for the opportunity to provide comments. If you have questions, please feel free to contact me at 518-432-7835 or Margaret_gorman@americanchemistry.com.

Sincerely,

A handwritten signature in black ink that reads "Margaret M. Gorman".

Margaret Gorman
Senior Director, Northeast Region
American Chemistry Council
Margaret_Gorman@americanchemistry.com

