



Joint Standing Committee on Health and Human Services

TESTIMONY IN SUPPORT

**LD 1006 – An Act to Ensure Access to Safe Drinking Water from Household Wells in
Rural Areas by Expanding Testing**

&

**LD 1488 – An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to
Private Drinking Water Wells**

Jacquelyn Elliott | April 28, 2023

Senator Baldacci, Chair; Representative Meyer, Chair; Honorable Committee Members:

Thank you for the opportunity to offer testimony **IN SUPPORT OF LD 1006 AND LD 1488**. I would like to address both bills at this time as they are related in overall intent. My name is Jacquelyn Elliott and I live in Waterboro and I will be testifying as a Board Member on behalf of Slingshot. For three decades I have been an environmental health and justice advocate. That journey began when my community was assaulted by pollution from a waste-to-energy incinerator and a leaking ash landfill threatened a source of our drinking water.

Slingshot is an environmental justice organization who works together with people most impacted by pollution and public health threats to take aim at polluters and build community power. Slingshot believes whatever toxic hazard your community is facing; you have the right to make your voice heard and to create the changes you want to see. Slingshot is a team of seasoned organizers, who bring decades of experience in the region to organize alongside communities for a healthier, more just world.

Slingshot also co-facilitates the National PFAS Contamination coalitions, which is composed of 30 community groups from across the nation, including Maine, that are directly impacted by PFAS (Perfluoroalkyl and Polyfluoroalkyl Substances). The coalition is fighting for a world where people are not exposed to any PFAS, where there is justice for the victims of PFAS exposure, and where laws and regulations prevent contamination disasters like this from happening again. We have been at the side of Maine communities facing the harmful impacts of drinking water

contaminated by PFAS. From this work, we have witnessed the harm PFAS have on our bodies, families, and environment.

Maine has been thrust into the forefront of leadership of how to respond to this crisis. Our lands, waters, crops, wildlife, and human bodies have been contaminated with this class of thousands of synthetic, toxic, forever chemicals mostly it appears, the result of misguided policy that spread sewage sludge on our farmlands and forests, and allowed sludge-amended compost to be used for landscaping and home gardens. Last year, the Legislature wisely passed legislation to cease those activities.

Many Mainers are showing exceedingly elevated blood serum levels of these PFAS chemical and are facing uncertain futures regarding health outcomes. Children are recognized as suffering impacts of toxic exposures at levels much greater than adults due to their body size. Maine's schools are struggling to cope with PFAS-polluted water systems. Scientists are saying that no body [system](#)¹ is free from adverse impacts from PFAS exposure. PFAS have been linked to kidney and other cancers as well as reproductive and immune system disruption. At this time, medical treatment consists of identifying the source and ceasing exposure to PFAS.

In Maine a significant [pathway](#)² of PFAS contamination is from private drinking water sources. Drinking water is a specific conduit for human bodies to become overburdened with health-threatening levels of PFAS which are [ubiquitous](#)³ in our environment and our bodies. The State has so far identified almost 400 residential drinking wells in nearly two dozen Maine towns with levels of PFAS above the State's drinking water standard. [EPA](#)⁴ (Environmental Protection Agency) is currently promulgating new rules for drinking water lowering the level for exposure.

We can assume there are still unidentified sources of drinking well contamination. People cannot protect themselves from PFAS exposures if they do not know it is in their water. **LD 1006** will require the DHHS (Department of Health and Human Services) add PFAS to the existing program that subsidizes testing available for household well water supplies of low-income residents. PFAS testing will be conducted through contracts with qualified laboratories. DHHS will be required to provide outreach and education to these residents to apprise them of the availability of this

¹ Emanuel, Gabrielle, February 13, 2023, *Tracing the path of toxic 'forever chemicals' inside the body*, "Not only do we all have PFAS in our bodies, but we also know that PFAS affects almost every organ system. I'm not sure I know a tissue or organ system where effects haven't been reported." Dr. Linda Birnbaum, former director of the National Institute of Environmental Health Sciences and the National Toxicology Program:

<https://www.wbur.org/news/2023/02/16/pfas-biology-blood-new-hampshire>

² March 2023, EPA Fact Sheet, EPA's Proposal to Limit PFAS in Drinking Water:

https://www.epa.gov/system/files/documents/2023-04/Fact%20Sheet_PFAS_NPWDR_Final_4.4.23.pdf

³ Environmental Working Group, *PFAS Chemicals the 'forever chemicals' in 99% of Americans*,

<https://www.ewg.org/what-are-pfas-chemicals>

⁴ March 14, 2023, Per- and Polyfluoroalkyl Substances (PFAS) Proposed PFAS National Primary Drinking Water Regulation: <https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>

testing and the eligibility for grants to cover costs of water treatment systems for drinking water that exceeds standards for PFAS and other contaminants. These grants will be obtainable from the Maine State Housing Authority. Importantly, testing will be based on the most recently available analytical method approved by the EPA that quantifies the maximum levels of PFAS. This bill does not require landlords treat the water.

Some may raise the argument of costs, but those contentions need to be framed in the long view. Preventing toxic exposures and disease will cost less to society and the economy. Additionally, there is knowledge that the State of Maine is rightly seeking financial accountability from the producers of PFAS through the courts. Producers of pollution are the appropriate goal for culpability.

Maine has many rental properties that supply drinking water from wells. **LD 1488** requires that landlords of residential buildings with private drinking water supplies add testing for PFAS to the contaminants already tested. The results of those tests must be shared with tenants within ten days of receipt of this information, as well as with prospective renters. The property sellers would be required to disclose a water test that indicates the presence of PFAS to a potential buyer.

LD 1006 and LD 1488 provide needed justice, equity, and safety measures for Maine citizens who have a right to know what is in their drinking water. These bills provide some agency for people to protect themselves and their families from contaminants in the in the water they drink. Maine residents should not be put at risk or shut off from effective measures to limit exposures to PFAS and other toxics in their drinking water because they are renters or lack financial resources for testing and remediation.

LD 1006 and LD 1488 provide important steps to move in the direction of safe drinking water for all Maine's residents. That requires the obligations outlined in these bills be vigorously implemented. Slingshot supports such efforts and would ask the Committee **VOTE OUGHT TO PASS**. Thank you.

Jacquelyn Elliott, Board Member
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