

Testimony of Adam Nordell, Defend Our Health / Songbird Farm

in Support of L.D. 2066, "An Act to Clarify Liability Under the Uncontrolled Hazardous Substance Site Law and to Waive a Fee Regarding Voluntary Response Action Plans"

Good morning, Senator Brenner, Representative Gramlich, and esteemed members of the Environment and Natural Resources Committee. My name is Adam Nordell. I am a PFAS impacted farmer and a campaign manager for Defend Our Health. Please accept this testimony in support of LD 2066.

My wife Johanna and I ran Songbird Farm in Unity for seven years after we bought the land in 2014 from a man named Tim Christensen. Tim was an organic vegetable farmer who purchased the property 1995. Prior to that, the land was owned by a local dairy, which has since gone out of business. Back in 1991, a company called Resource Conservation Services, headquartered at the nearby Hawk Ridge sludge-compost facility acquired a DEP license to spread sludge on the dairy's fields, including the land that later became our farm. RMI facilitated sludge applications on the land from 1991-1994.

It's not clear whether Tim was aware of the recent history of his land when he bought it. We can't ask him about it, because he lost his battle with pancreatic cancer shortly after he sold us the farm. My wife and I only learned the farm had been treated with sludge after DEP published its Sludge and Septage map in 2021. Subsequent testing revealed that the farm water, soil and many of our crops are severely contaminated, as well as our bodies. The PFAS contamination forced us to close our business and move offsite to protect our family from continued exposure to the chemicals.

Maine's Uncontrolled Hazardous Substance Site Law is designed to protect current and future generations from environmental contaminants like these by mandating the remediation of spill sites, and to protect Maine taxpayers from the financial cost of repairing what has been damaged in a spill. The law requires the owners of contaminated property to pay for remediation, and as written, that liability is shared by all past and current owners of a property. The current language could force my wife and me to pay for the cost of remediating damaged that was caused 30 years ago when the Department granted RMI a license to spread sludge at the now closed dairy. All the impacted farmers that I know want to see the land and water cleaned up, but the existing language has the potential to compound an already terrible and unjust situation.

My wife and I were recently very lucky to sell our contaminated farm to Maine Farmland Trust, who plans to make the property available for PFAS research. Will other owners of PFAS impacted properties be so lucky to find a willing buyer? My peers find themselves with land which in some cases they can no longer farm - land, whose value may have been seriously devalued by the contamination. If they want to rebuild their lives elsewhere, liability under the existing uncontrolled sites law places them and any potential future buyer at undue financial risk.

Maine DEP has done a tremendous amount of good work in the past several years to support the community of people impacted by historic sludge spreading. The changes proposed in LD 2066 build on those efforts to mitigate the impacts of PFAS contamination by freeing impacted landowners from liability for damage that was caused by someone else.

I urge you to support DEP's efforts to do right by Maine's PFAS-impacted communities and unanimously vote ought to pass.

Thank you

Adam Nordell