

Brunswick Area Citizens For A Safe Environment
PO Box 245
Brunswick Maine 04011

February 25, 2025

TO: The Committee on Environment and Natural Resources
Maine State Legislature

Re: Support for the following 3 related Bills: LD 400; AFFF Reporting Requirement: LD 222; AFFF Take-Back Program: LD 407; Brunswick Landing Cleanup by 2026.

Dear Chairperson Doudera and Members of the Committee,

I am a long-time citizen of Brunswick, Maine, and am writing on behalf of the Brunswick Area Citizens for a Safe Environment (BACSE). BACSE is a citizen advisory group, established pursuant to Superfund regulations to promote public oversight, information and participation in the contamination issues at the former Brunswick Naval Air Station. BACSE has been in active stakeholder status for the remediation and re-use of the former Brunswick Naval Air Station (BNAS) for 35 years. BACSE has extensive experience with activities involving AFFF at the former BNAS.

On behalf of BACSE, I am conveying our strong support for each of the 3 related AFFF bills before your Committee: LD 400, which would institute long-needed reporting requirements for AFFF in storage in Maine: LD 222, which creates a program for the collection and safe storage of PFAS-based AFFF for eventually safe disposal: LD 407, which specifically mandates the removal of all remaining PFAS-based AFFF from property leased or owned by MidCoast Regional Redevelopment Authority. (MRRA) by 2026.

BNAS has had a long history with PFAS, perfluoroalkyl substances, or forever chemicals, which continue to be stored and in use at fire suppression systems in the hangars on the base. PFAS in the groundwater has migrated off base and has contaminated the town's public water supply operated by the Brunswick Topsham Water District. PFAS, however, continues to discharge from the stormwater system at Brunswick Executive Airport (BEA) and has impacted the surrounding environment. Even prior to the August 2024, spill fish tissue samples exceeded the Maine CDC fish tissue action level resulting in the state issuing a DO NOT EAT Advisory). Through AFFF releases during the decades of operations at the BNAS site, there currently exist locations on the former base with groundwater concentrations of PFOS are among the highest in the State.

Removal of AFFF from BEA is critically important. The Brunswick Executive Airport is in close proximity to residential and commercial areas, public drinking water wells, and sensitive marine and estuarine resources, all of which have been and will be even more greatly affected by any additional releases of AFFF. In 2022, significant changes to the National Fire Protection Association (NFPA) 409 code allow the use of risk-based fire protection strategies for aircraft hangars. These changes allow airports to install alternatives to a foam fire suppression system in aircraft hangars using a more flexible, risk-based approach for fire suppression system design. As outlined in their February 5, 2025 letter to MRRA, experts from Poole Fire Protection, have determined that the AFFF system at the BEA can be completely turned off while they complete their full assessment. Even the Department of Defense (DoD) is eliminating PFAS-based AFFF from their operations. The National Defense Authorization Act for Fiscal Year 2020 requires that Department of Defense (DoD) to cease use of AFFF no later than October 1, 2025. The DoD has taken steps to eliminate its use of AFFF and is in the process of transitioning over 1500 facilities

to F3, water-only systems, or other fire-suppression technologies. LD407 will guarantee that these dangerous materials will follow these requirements ensuring AFFF is removed in a timely, predictable and safe way.

Comments on LD 407: *An Act to Prohibit the Use of Aqueous Film-forming Foam at the Former Brunswick Naval Air Station.* This bill is of critical importance to the residents of MidCoast Maine. MRRA owns and operates the airport on site with a troubling inability to manage the AFFF on site. There have been 3 known AFFF spills since MRRA assumed control of the airport facilities in 2011. The impact of the August 2025 spill will remain for decades. It could have been prevented.

Comments on LD 400: *Resolve, Directing the Department of Public Safety, Office of the State Fire Marshal to Compile a Statewide Inventory of Aqueous Film-forming Foam Concentrate.* This bill is critically important because in the past, the dangers of PFAS-based AFFF were not recognized and stocks of these materials were freely distributed. For example, after MRRA took ownership of the Airport from the Navy, AFFF materials were given to fire departments and municipalities around the State. Because these materials were not purchased by local firefighting entities, they need to be inventoried on site to bring awareness to all that this is a fire suppressant which should not be deployed. It took many months of effort to have MRRA even provide an inventory of its own AFFF supply. Locally we have learned the critical importance of an inventory. LD400 is the first step in getting this dangerous situation under control.

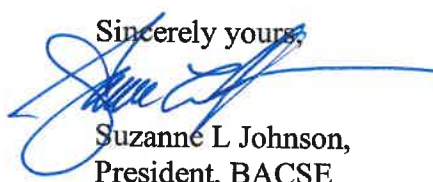
Comments on LD 222: *An Act to Establish a Take-Back and Disposal Program for Firefighting and Fire-suppressing Foam to Which Perfluoroalkyl and Polyfluoroalkyl Substances Have Been Added.* The risk of having containers of AFFF spread around the State represents an unacceptable risk to individuals, water supplies and communities. There is also the under-appreciated issue of occupational exposure to PFAS, both through use and storage. Because of the very low concentrations of PFAS species considered hazardous, the accidental release of stored material or the deliberate release of this material in fire suppression, can cause a major pollution incident and threat to all individuals who come into contact with the material. We should look to our neighbors in New Hampshire and learn from the AFFF Take Back Program take back and disposal program that was conducted in 2024. Although Take Back Programs require funding, the cost of not doing anything is much greater and long term as evidenced the environmental damage resulting from activities at the BEA.

Conclusion:

We believe that the failure to enact LD407, LD 400 and LD222 will cost the State of Maine, individual homeowners, communities and the natural environment far more damage and infinite expense than the costs associated with the enactment and implementation of these bills.

We urge you to pass these bills.

Sincerely yours,



Suzanne L. Johnson,
President, BACSE