



Town of Harpswell

P.O. Box 39
Harpswell, ME 04079

February 25, 2025

To: The Committee on Environment and Natural Resources of the 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,

On behalf of the Harpswell Select Board, I write to urge your support of LD 400, LD 222 and LD 407. As recipients of downstream drainage into Harpswell Cove and into Harpswell waters, our vital marine fisheries are at the receiving end of PFAS compounds flowing downstream in ground and surface water from the former Brunswick Naval Air Station.

The discharge into our waters of PFAS compounds, especially PFOS (Perfluorooctanoyl Sulfonate), is of the greatest environmental and health concern as PFOS was recently designated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as a hazardous substance. PFOS is the key component of fire suppression systems in Hangers 4 and 6 as utilized in Aqueous Film-forming Foam (AFFF). As you are aware, in the catastrophic August 19, 2024, spill incident (not the first) stores of PFOS-based AFFF were released from Hangar 6.

Our Brunswick Area Citizens for a Safe Environment (BACSE) representative informs us that there are still 1000s of gallons of newer PFAS-based AFFF stored on the former Navy Base in Hangers 5 and 7. These stores are managed by the Midcoast Regional Redevelopment Authority (MRRA), whose management of these matters is also of concern to us.

Comments on: LD 407: *An Act to Prohibit the Use of Aqueous Film-forming Foam at the Former Brunswick Naval Air Station.* MRRA has had 3 known AFFF spills since assuming control of the airport facilities in 2011. The MRRA record of oversight of stores of AFFF should be enough reason to prohibit future storage at the former Brunswick Naval Air Station.

It is our understanding that as a result of inaction by MRRA, concerned area citizens petitioned elected officials for removal of AFFF from Hanger 4 and the Navy agreed to begin removal in September 2024. Unfortunately, the huge August 19, 2024, spill occurred first. The former base is near a variety of residential and commercial areas, drinking wells, a municipal well field, and estuary/marine resources. It is imperative that no further spills endanger Harpswell or other communities. Please pass LD 407.

February 25, 2025

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.* PFOS was put on the Superfund List in April of 2024 and other PFAS compounds will likely follow. PFAS-based AFFF was widely distributed in the past to fire departments and municipalities throughout Maine and is a recognized threat to health and the environment. A statewide inventory of AFFF is a necessary step to mitigate actual or potential damage. No further delay in action is justified.

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.* Three spills of AFFF at Brunswick Landing have taught us that storage of AFFF is a very real risk to water supplies, communities, and fishery resources.

We believe that the failure to enact LD 407, LD 400 and LD 222 will cost the State of Maine, individual homeowners and communities far more in aggregate than the costs associated with their enactment and implementation. It would be very short-sighted not to pass these bills. Although the Take-Back and Disposal Program would be expensive, multiple future spills, such as the August 2024 spill at Brunswick Landing, could prove even more expensive. Please also consider the legal consequences of inaction, in view of PFOS status as a Superfund agent.

Conclusion:

The Harpswell Select Board believes that passing these three laws—LD 407, LD 400, and LD 222—will protect the health and environment of Maine communities including Harpswell. The marine environment and fisheries are vital to our economy and way of life in Maine and in Harpswell. Runoff of the PFAS compounds from the August 2024 spill flows directly into Harpswell Cove. Additional spills could have consequences that we do not wish to endure. It would be a mistake not to pass these bills.

Sincerely yours,



Kevin E. Johnson, Chair
Harpswell Select Board

cc: Senator Mattie Daughtry
Representative Cheryl Golek

Kevin Johnson
Town of Harpswell
LD 222

The attached testimony supporting LD 222, LD 400 and LD 407 is submitted by Harpswell Select Board Chair Kevin Johnson on behalf of the Select Board.