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Testimony in support of LD 451 – An Act to Require Testing of Solar and Wind Energy Developments for Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Contamination

Senator Lawrence, Representative Sachs, and Members of the Energy, Utilities, and Technology Committee:

Preserve Rural Maine appreciates the opportunity to provide testimony in support of LD 451 which would require testing of solar and wind energy development sites for contamination by Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS).

As we continue to transition toward renewable energy, it is essential to that we take every precaution to ensure these projects do not inadvertently contribute to environmental or public health risks. PFAS, which are toxic, persistent chemicals, present a serious threat to both ecosystems and human health. This bill addresses a critical gap in the development of clean energy projects, ensuring that we move forward responsibly and with foresight, preventing potential contamination.

About Preserve Rural Maine

Preserve Rural Maine is a nonprofit group that exists to preserve the communities, cultures, and environmental integrity of rural Maine. Maine's rural landscapes—from its forests to its farmlands—are critical not only to the state's economy but also to the nation's. These areas provide timber, seafood, clean water, and agricultural products that contribute to national food security and economic vitality. But beyond resources, rural Maine holds a rich cultural heritage, one built on strong community ties and a deep relationship with the natural environment. Our mission is to ensure that socioeconomically disadvantaged rural communities, which often bear the brunt of industrial development projects, have a seat at the table. We aim to empower them to voice their concerns and play an active role in shaping decisions that will influence their future. Preserving rural Maine means preserving a place where people live in connection with nature. It offers an essential refuge in an era of rapid urbanization and environmental degradation.

The Merits of the Bill

This bill presents a thoughtful and necessary approach to renewable energy development. PFAS are a group of man-made chemicals that are highly persistent in both the environment and the human body. Given their persistence, PFAS are often referred to as “forever chemicals,” and their presence in the environment poses long-term challenges for cleanup and remediation. They pose significant health risks, including cancer, liver damage, and developmental issues and immune system issues. By requiring testing for PFAS contamination before solar or wind energy projects are constructed and testing again during operation of the project, we are ensuring that we do not repeat the mistakes of past industrial activities that left behind toxic legacies. Contamination from PFAS is especially concerning in rural areas, where agriculture, water quality, and local ecosystems are integral to the economy and quality of life.

The Use of PFAS in Solar and Wind Energy Developments

It is important to note that PFAS are used in a wide range of industrial applications. Studies have identified the use of PFAS in the production of solar panels, particularly in the manufacturing of panel coatings, wiring, and other components.¹ Likewise, PFAS are used in various parts of wind turbines.² These chemicals help to increase the longevity and durability of the materials used, but they also raise significant concerns regarding contamination during their production, installation, and project operation as well as at the end-of-life stage of the components. As a result, solar or wind energy developments can introduce PFAS or increase PFAS contamination that may have otherwise been preventable.

Responsibility for Remediation

The bill’s provision that the development owner will be responsible for any necessary remediation of PFAS contamination is crucial. Those who stand to profit from the development of renewable energy projects should also bear the responsibility for ensuring that these projects do not cause harm to the environment or public health. This includes providing for remediation efforts should contamination be discovered during or after construction. Furthermore, the bill’s requirement that site owners remain accountable for monitoring PFAS levels after development is completed will ensure long-term environmental protection and health safety.

Conclusion

Preserve Rural Maine supports the proposed bill that would require testing of solar and wind energy development sites for contamination by Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS). This bill represents a critical proactive measure to ensure the safety of renewable energy

¹ <https://greensciencepolicy.org/docs/pfas-building-materials-2021.pdf>

² <https://infopfas.com/en/2024/07/pfas-in-wind-turbines-an-environmental-concern/>

development, both for the environment and for public health. By requiring testing for PFAS contamination and ensuring that development owners are responsible for addressing contamination and remediation, we can make certain that renewable energy projects are not contributing to the PFAS problem. As highlighted in an article regarding PFAS federal and state regulations, documentation of PFAS protects not only the environment but it also helps protect renewable energy companies from potential PFAS-related citizen suits and environmental liabilities.³

Preserve Rural Maine urges you to support this bill to ensure that the transition to clean energy is done in a way that is truly sustainable—one that protects both our environment and the health of future generations.

Thank you for your consideration.

Sincerely,

Tanya Blanchard

President
Preserve Rural Maine

³ <https://news.bloomberglaw.com/us-law-week/new-forever-chemical-rules-to-hit-renewable-energy-industry>