



Solutions for a  
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Director of Advocacy, Defend Our Health  
In Support of LD 1488, "An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl  
Substances to Private Drinking Water Wells"  
Before the Health and Human Services Committee  
April 28, 2023

Senator Baldacci, Representative Meyer and members of the Health and Human Services Committee. My name is Sarah Woodbury. I am the director of advocacy for Defend Our Health. Defend Our Health's mission is to make sure that everyone has equal access to safe food and drinking water, healthy homes and products that are toxic-free and climate friendly. I am here to testify in support of LD 1488, "An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells".

LD 1488 requires residential landlords that have residential drinking water wells to test the wells for PFAS and other contaminants every five years and provide those results to tenants within 10 days of notification of the results. This information must be provided to both current and new tenants. Landlords are not required to treat the drinking water contamination under this bill. This bill also would require homeowners to disclose if a residential well has been tested for PFAS at the point of sale for homeowners selling their property. This is similar to the current requirement for disclosure of information regarding arsenic, radon, and other testing for residential wells.

Maine is currently in the midst of a PFAS contamination crisis. PFAS pose significant health risks, including kidney cancer, reduced vaccine response, elevated cholesterol, reduced infant birth weight, and more. Low-income communities, communities of color, tribal, and rural communities are disproportionately impacted and more susceptible to health and financial impacts of PFAS contamination. Children are disproportionately exposed to the contaminant. Yet, we currently don't require landlords to provide information about potential contamination of their tenants drinking water, which may unknowingly be impacting renters statewide. Over 50% of Mainers get their drinking water from residential wells, which is the highest percentage in the nation. Statewide, 29% of renters are serviced by a residential drinking water well.

Last session this committee passed legislation that requires landlords to test for arsenic and disclose that information to their tenants. LD 1488 builds upon that law to provide much-needed information to tenants about the safety of their drinking water. PFAS contamination is a real concern, particularly in rural areas, due to land application of sludge on farmland across the state. In addition to adding PFAS to the list of required testing, LD 1488 also adds "other contaminants" to bring the statute in line with the Maine Drinking Water Program's testing recommendations. "Other contaminants" is clearly laid out and includes lead, radon, uranium, manganese, and fluoride. These other contaminants have health impacts, particularly for children. There is no safe level of lead for children and exposure can cause issues with brain development. Radon is the number two cause of lung cancer after smoking, with children more



susceptable due to their grown bodies. Fluoride in drinking water can cause dental fluorosis, skeletal fluorosis, arthritis, bone damage, osteoporosis, muscular damage, fatigue, joint-related problems. In extreme conditions, it could adversely damage the heart, arteries, kidney, liver, and endocrine glands. Uranium in the drinking water can cause kidney issues. Children and adults who drink water with high levels of manganese for a long time may have problems with memory, attention, and motor skills. Infants (babies under one year old) may develop learning and behavior problems if they drink water with too much manganese in it. All of these health impacts are serious, and tenants have a right to know if they are being exposed to these contaminants. Adding these additional contaminants (not including PFAS) does not cause a large increase in testing costs. Most tests package all of these contaminants together under one test. The state's health environment testing lab (HETL) will test for all contaminants (arsenic, lead, manganese, uranium, fluoride) except radon for \$127. A radon test is an additional \$40. And while this bill does not require that landlords treat the water, only test, the treatment for all these contaminants is generally the same, a granulated carbon filtration system. You do not need a separate treatment system for each contaminant.

While adding the additional contaminants should not increase the cost of testing, PFAS testing is a separate test and runs between \$250 to \$350 dollars. This is a cost that will fall to the landlord to cover. There may be options for assistance for some landlords depending on their location and the income level of the landlord. Currently, if a residential well has high levels of contamination and that contamination can be tied to sludge spreading through the state's soil and groundwater investigation, the Department of Environmental Protection (DEP) may help cover the cost of treatment and provide filtration systems to ensure their drinking water is clean and safe. This would require the landlord work with the DEP to prove that the contamination comes from sludge spreading on farmland. The DEP does not have unlimited funds for this but they are currently assisting well owners that are impacted by sludge spreading. Additionally, if the landlord is income-eligible, the Maine drinking water program will help with the cost of the testing. And, once again, this bill does not require that landlords treat the well, they just need to test the well and disclose those results. For homeowners at the point of sale, they are not required to test, they just have to disclose if there has been a PFAS test and, if there has, they must disclose the results. This only applies to PFAS, not other contaminants. But if they have not tested, they will not be required to do so.

The reality is that transparency around PFAS contamination in our drinking water is critical to maintaining the health and wellness of all Mainers. While we applaud any voluntary actions from landlords to test for drinking water contaminants, ultimately, knowing what is in your drinking water should be a right for all. Where you live should not determine the toxics you are exposed to. If we want to prevent harmful health effects and eliminate exposure to PFAS and other contaminants from the environment, we must implement public policy to make these testing and disclosure requirements universal. Therefore, Defend Our Health urges you to vote unanimously "ought to pass" on LD 1488.

Thank you for your time.