



HOUSE OF REPRESENTATIVES

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Testimony of Rep. Poppy Arford in support of
**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, 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, and LD 407, An Act to Prohibit the Use
of Aqueous Film-forming Foam at the Former Brunswick Naval Air Station
*Before the Joint Standing Committee on Environment and Natural Resources***

Senator Tepler, Representative Doudera, and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Poppy Arford. I proudly represent State House District 101, the western part of Brunswick.

I stand before you today to ask for your vote in support of the three bills you are considering this morning: LD 222, LD 400, and LD 407. I am a co-sponsor and member of the Brunswick legislative delegation, and I would like to recognize and thank Representative Ankeles for submitting these bills.

The Brunswick community has been dramatically harmed, both from an environmental and a public health perspective, by the discharge into our soils and waters of PFAS-laden Aqueous Film-forming Foam, which I will refer to as simply PFAS Foam going forward. A significant body of testimony, in support of these three bills, is being offered online and in testimony today, including by subject matter experts who have been studying and addressing the issue of PFAS contamination for years. With respect to them and the Committee, I will be brief and not repeat the important information and moving stories others are sharing with you.

In support of these three bills, I will offer this – the ongoing storage of PFAS Foam and potential for release of the PFAS chemicals not only presents dire environmental and public health consequences, but it also continues to present excessive financial risk to Maine people: to our individual, local and State budgets. Although passage of these three bills will have a definite price tag, the monetary cost of not doing what they require may be much, much greater. One reason for this, which you may have not yet considered, is that it is becoming very difficult, if not impossible, for the owners of PFAS Foam, be it MRRA or your local fire department, to secure adequate liability coverage for the risks associated with a PFAS Foam release. The insurance experts I have spoken with have informed me that commercial Site Pollution or Environmental Impairment Liability (EIL) coverage for bodily injury and property damages that result from a pollution event – such as the release of PFAS Foam that was and continues to be owned and stored in Brunswick – is becoming exceedingly expensive if at all available. The risk and coverage expense is simply too great. If there is no insurance, we must ask ourselves the question: “Who will pay for the damages to public health and the environment, including public and private drinking water supplies, that may result from a future PFAS Foam release?”

Absent the passage of LD 222, 207, and 400, Maine people will be left with an unknown inventory of PFAS Foam throughout our State. Effectively, they will be asked to assume millions of dollars of liability for the storage and possible release of these exceedingly toxic chemicals into Maine soils and waters. This is unacceptable!

Thank you for your consideration of these bills and for your attention to the testimony presented today.