



Environmental Priorities Coalition

Testimony in Support of LD222, *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*

February 26, 2025

Senator Tepler, Representative Doudera, and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Cathy Breen, and I serve as the Director of Government Affairs for Maine Conservation Alliance. I am here today to speak on behalf of the Environmental Priorities Coalition (EPC) in support of LD222, *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*. Maine's EPC is an inclusive statewide alliance of 39 conservation, climate action, and public health organizations. Each year we collectively identify a slate of policy priorities to act on the climate crisis, further environmental justice, protect land, water, and wildlife, and cultivate healthy Maine communities. LD222 is one of nine priority bills for the 132nd Legislature thus far.

According to the Interstate Technology Regulatory Council, Aqueous film-forming foam (AFFF) is considered a fluorinated foam and when mixed with water, the resulting solution achieves the interfacial tension characteristics needed to produce an aqueous film that spreads across the surface of a hydrocarbon fuel (petroleum greases, tars, oils, and gasoline; and solvents and alcohols) to extinguish a fire and to form a vapor barrier between the fuel and atmospheric oxygen to prevent re-ignition. This film formation is the defining feature of AFFF. It has been used at chemical plants, flammable liquid storage and processing facilities, merchant operations (oil tankers, offshore platforms), municipal services (fire departments, firefighting training centers), oil refineries, terminals, and bulk fuel storage farms, aviation operations (aircraft rescue and firefighting, hangars), in some industrial fire extinguishers, and military facilities.¹ Manufacturers of early AFFF products (before 2002) added perfluoroalkyl (PFAS) and polyfluoroalkyl (PFOS) to the product, not knowing the dangers of these chemicals.

Members of this committee are well aware that Maine is a national leader in eradicating the use of harmful "forever chemicals." Chemicals like PFAS, PFOS, AFFF, and others have entered our surface waters, soils, sewage, farms, ground water, as well as our bodies. Based on recent studies, we now understand that these chemicals may cause illnesses like liver disease, high cholesterol, kidney and testicular cancer, changes in fetal and childhood development, and more.² Indeed, based on the recommendation of this committee, in 2023, the 131st Maine legislature decided to phase out the use of these toxic foams over time.³ Maybe

¹ https://pfas-1.itrcweb.org/wp-content/uploads/2022/09/AFFF_PFAS_FactSheet_082522_508.pdf

² <https://www.publichealth.va.gov/exposures/pfas.asp>

³ <https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/>

this is why so many of us were horrified when the fire-fighting foam system broke down last August on the site of the former Brunswick Naval Air Station, spilling 1,450 gallons of toxic Aqueous Film Forming Foam (AFFF) concentrate mixed with 50,000 gallons of water. It was the largest toxic foam spill in Maine history and the sixth-largest in the United States.

In recent years in response to health concerns, manufacturers have developed safer fire-fighting foams that have no added harmful chemicals. This is good news! But we still have to contend with the reality that 50,000 gallons of the early, toxic foam components are still around, lurking in aging buildings, airports, tanks, and the like. We need to remove them before more aging facilities break down and trigger more disasters. This is the purpose of LD222.

LD222 directs the Maine Department of Environmental Protection (DEP) to set up a voluntary program to collect and dispose of old, toxic AFFF materials found inside the state by July 1, 2027. It wisely directs the DEP to consult with the Maine Department of Public Safety and the Office of the State Fire Marshall in developing the take-back program. And it gives DEP permission to contract this program with a 3rd party if that makes the most sense. Lastly, it requires the DEP (or its contractor) to dispose of or store the materials safely after collecting them in accordance with existing hazardous waste regulations.

On behalf of the 39 members of the EPC, I urge you to vote "Ought to Pass" on LD222. I thank you for your time and I'm happy to answer any questions you may have.



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MIDCOAST CONSERVANCY



MOMENTUM CONSERVATION



Natural Resources Council of Maine



Acadia Center



BICYCLE COALITION OF MAINE



SIERRA CLUB MAINE CHAPTER



clf

Conservation Law Foundation



(Gateway Community Services Maine)



Immigrant Welcome Center



passivhaus MAINE



PSR Maine



MAINE AUDUBON



Maine Conservation Alliance



THE WILDERNESS SOCIETY



Union of Concerned Scientists

We, the undersigned, strongly support providing funding and resources to allow safe removal and eventual disposal of the toxic PFAS-laden aqueous film-forming foam (AFFF) that has added to Maine's current PFAS crisis.

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Ann Albert, Presque Isle, ME,
Paula Atkinson, Scarborough, ME,
Tom Aversa, Unity, ME,
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Grace Bartlett, Bangor, ME,
Andrew Beahm, Falmouth, ME,
Mary Jane Beardsley, Minot, ME,
Anita Bergeron, Sanford, ME,
Chris Betit, Brunswick, ME,
David Bilski, New Harbor, ME,
Victoria Blaine Wallace, Farmington,
ME,
Kathryn Bourgoïn, Orono, ME,
Sarah Braik, Portland, ME,
Rita Breton, Scarborough, ME,
Martha Briggs, Windham, ME,
Deborah Burd, Strong, ME,
Kathleen J Burke, Greenwood, ME,
Nancy Cartonio, Portland, ME,
Ingrid Chalufour, Brunswick, ME,
Jan Chapman, Cape Elizabeth, ME,
Louise Chasse Bither, Freeport, ME,
Asherah Cinnamon, Limington, ME,
Cristanna Cook, Hermon, ME,
Heidi Crosier-Sypitkowski, Bangor,
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Amy Davidoff, Vassalboro, ME,
Katherine Davis, Brunswick, ME,
Adair DeLamater, Bath, ME,
Jazmin DeRice, Woolwich, ME,
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Janice Drinan, Scarborough, ME,
Maureen Drouin, Hallowell, ME,
William G Durkin, Belfast, ME,

Linda Farwell, Hallowell, ME,
Janice Fichuk, Winslow, ME,
Patty Fitzgerald, Wells, ME,
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Bill Hammond, Trevett, ME,
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Conny Hatch, Belfast, ME,
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Sarah Johnston, Gray, ME,
Barbara Kantner, Brunswick, ME,
Judy Kimball, South Portland, ME,
Ellen Klain, Falmouth, ME,
Naomi Kronlokken, Portland, ME,
Judy Kuhns-Hastings, Bangor, ME,
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Sandra Merrick, Mount Vernon, ME,
Joel Merry, West Bath, ME,
Marna Miller, Falmouth, ME,
Rhonda Millett, Gorham, ME,
Abi Morrison, Rockland, ME,
Richard Nutt, Brooksville, ME,

Mary O'Brien, Brunswick, ME,
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Jennifer Porter, Buxton, ME
Jane Pringle, Windham, ME,
Kathryn Robyn, Belfast, ME,
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Deena Weinstein, Falmouth, ME,
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Genie Wheelwright, Harpswell, ME,
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