



Solutions for a
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Vice President of Policy and Advocacy, Defend Our Health
Neither For Nor Against LD 451 "An Act to Require Testing of Solar and Wind Energy
Developments for Perfluoroalkyl and Polyfluoroalkyl Substances Contamination" before the Energy,
Utilities, and Technology Committee
March 6, 2025

Senator Lawrence, Representative Sachs and members of the Energy, Utilities, and Technology Committee. My name is Sarah Woodbury. I am the Vice President of Policy and Advocacy for Defend Our Health. Defend Our Health works to make sure everyone has equal access to safe food, safe drinking water, healthy homes and toxic-free, climate-friendly products. I am here to testify neither for nor against to LD 451 "An Act to Require Testing of Solar and Wind Energy Developments for Perfluoroalkyl and Polyfluoroalkyl Substances Contamination".

Defend Our Health has been at the forefront of the PFAS contamination crisis. PFAS are a class of man-made chemicals that can cause health impacts such as fertility issues, impacts on vaccine efficacy, and increases in certain types of cancer. We have worked with impacted farmers, well owners, and firefighters over the past several years to pass first in the world policies to protect public health from PFAS. While we appreciate any efforts to give the public more information about PFAS contamination, we have some concerns and are not sure that the legislation is necessary considering the strong PFAS policies already in place in Maine.

The Maine legislature has passed several policies in the past few years that put into place systems that can help to prevent PFAS contamination before it gets to our state. The biggest thing we can do to prevent PFAS contamination is source reduction. PFAS should not be added to products in the first place. The good news is that Maine was the first state to pass a landmark PFAS products law. This law bans the use of PFAS outright in several consumer product categories by 2026 and states that no products can be sold in Maine by 2032 if they contain PFAS. There are no exemptions for things like solar panels or wind turbines.

Defend does not claim to be an expert on solar and wind technologies but, it is our understanding, that there is little if any leaching of PFAS from the products when they are in use. Our bigger concern would be once the products are at the end of their life cycle. What ends up where for the parts that cannot be recycled? We certainly don't want more PFAS in our landfills. But there is good news on this front as well. I will again reference Maine's PFAS products law. The law was amended last year to include language directing the Department of Environmental Protection to develop a source reduction program including working with solid waste disposal facilities on the proper management of products containing PFAS at the end of their life cycle. We believe this will go further in protecting from future PFAS contamination than testing solar and wind sites.

Finally, one serious concern we have is the impact on PFAS impacted farmers. The legislature passed legislation sponsored by Senator Stacy Brenner, LD 1591, that prioritizes contaminated land for clean energy projects. This law is a lifeline to many farmers who have PFAS-impacted farms. It allows them to continue to stay on their farms and make a living, instead of having to sell their family farms at less than market value and move away from their communities. I urge you to read the



testimony of Max Kenney¹ from the Tozier Farm in Fairfield where he talks about how LD 1591 would be a lifeline to him and his family. How would LD 451 interact with that law? The language in the law says the cost for remediation falls on the “owner or operator”. There is a definition for operator in the bill but not owner. Does owner refer to the owners of the land? If so, this would be just one more expense for our already overburdened PFAS impacted farmers. Even if that’s not the case, the hoops that need to be jumped through to have these facilities on your land are onerous to those in our communities that are already dealing with the very real health, environmental, and economic impacts of PFAS-contaminated farmland.

I urge the committee to take these issues into account as you move forward on this legislation.

Thank you.

¹ Kenney, M. (2023, April 20). LD 1591 An Act to Promote Economic Reuse of Contaminated Land Through Clean Energy Development Testimony in Support.

<https://www.mainelegislature.org/legis/bills/getTestimonyDoc.asp?id=10024830>