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May 5, 2025

Testimony of Rep. Poppy Arford in support of

**LD 1786, An Act to Require the Department of Environmental Protection to Provide
Certain Information Regarding Perfluoroalkyl and Polyfluoroalkyl Substances to the
Public and Private Drinking Water Well Owners**

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. Thank you for the opportunity to present LD 1786, An Act to Protect the Drinking Water for Consumers of Certain Water Systems by Establishing Maximum Contaminant Levels for Certain Perfluoroalkyl and Polyfluoroalkyl Substances.

The bill requires PFAS information transparency

This is a very straightforward PFAS information transparency bill which does the following:

1. Requires the Department of Environmental Protection (department) to post on its website the most stringent Environmental Protection Agency (EPA) or state of Maine (state) maximum contaminant levels (MCL) for perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking water, measured in parts per trillion (ppt).
2. Requires the department to provide private drinking water well owners information concerning the most stringent PFAS levels when the owner requests the information, when the department has knowledge or suspects that a private well may be contaminated, and when the department tests or reports on PFAS levels to a private well owner.
3. Requires the department to provide information to owners of private drinking water wells concerning PFAS mitigation, remediation, testing and financial assistance for these things.

A bit over a year ago, on April 10, 2024, the EPA issued the “first-ever national, legally enforceable drinking water standard and final rule to protect communities from exposure to harmful PFAS substances.” The final rule approved the MCL standard of 4 ppt for PFOS and

PFOA substances. PFOS is the primary PFAS substance found in last August's discharge of PFAS laden Aqueous Fire Fighting Foam from an airport hangar on the Landing in Brunswick. As the committee has learned through the hearing of Representative Ankeles PFAS related bills, PFAS substances are dubbed 'forever chemicals' alluding to the tragic fact that they remain in and harm the human body for decades after exposure. As such the "EPA expects that over many years these new standards will prevent PFAS exposure in drinking water for approximately 100 million people, prevent thousands of deaths, and reduce tens of thousands of serious PFAS-attributable illnesses."

If this sounds impressive – it is – except there is a caveat – an exception if you will. The EPA regulates public drinking water supplies, including municipal water districts and schools. The EPA does not regulate or provide recommended standards for private wells. Rather the EPA recommends that private well owners "conduct regular well testing for information on the overall quality of the water and whether it contains PFAS." Then to "compare your results to your state standards for safe levels of PFAS in drinking water." This reality, my friends, is what has brought me before you this afternoon. Maine's interim drinking standard for PFOS is 20 ppt, five times greater, or less stringent than the EPA level of 4 ppt. The state's 20 ppt level is the only PFAS MCL information that the department provided to the Brunswick people with wells tested for PFAS contamination due to the PFAS discharge last August (see attached letter). This bill asks that you change this. That you act to require that the department provide the most stringent PFAS levels, whether they be a final or interim rule of the state or federal government, to private drinking water well owners in Maine.

The Department let me know over the weekend that they have some feedback they would like to see incorporated, which I believe they will be sharing with you in testimony today. I look forward to working with the department and committee staff to develop an amendment for your consideration in advance of work session.

In conclusion, I have promoted information transparency in the health care realm for many years. In this bill I turn my attention to environmental protection and ask that you require that private well owners be informed by the department of the most stringent, most safe PFAS drinking water standards.

Thank you

I will close by saying thank you to the people who will testify next in favor of LD 1786, some of whom have been directly impacted and harmed by the Brunswick PFAS spill, some of them are experts, and all of them are willing to show up today, on short notice, to share their stories and perspectives. I am also grateful for the committee's thoughtful and open-minded consideration of this bill.

Please feel free to ask me questions – I will answer as best I can, as will those who follow.

Sources:

EPA Fact Sheet: PFAS National Primary Drinking Water Regulation - EPA Maximum Contaminant Levels for Six PFAS in Drinking Water.

Biden-Harris Administration Finalizes First-Ever National Drinking Water Standard to Protect 100M People from PFAS Pollution

<https://www.epa.gov/newsreleases/biden-harris-administration-finalizes-first-ever-national-drinking-water-standard>

Meaningful and Achievable Steps You Can Take to Reduce Your Risk - If You Get Your Water from a Home Drinking Water Well.

<https://www.epa.gov/pfas/meaningful-and-achievable-steps-you-can-take-reduce-your-risk>

§2660-AA. Definitions Perfluoroalkyl and polyfluoroalkyl substances or PFAS.

<https://www.mainelegislature.org/legis/statutes/22/title22sec2660-AA-2.html>



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

September 26, 2024

Mr. Douglas Self
260 Coombs Road
Brunswick, ME 04011

Re: Results from the Recent Testing of Your Water Supply at 260 Coombs Road, Brunswick

Dear Mr. Self:

This letter provides you with the results of the water test conducted on the sample collected from your property on September 10, 2024. The sample was analyzed by Pace Analytical Laboratory and tested for the presence of per- and polyfluoroalkyl substances (PFAS).

The Department of Health and Human Services has established an Interim Drinking Water Standard of 20 nanograms per liter (ng/L) for six PFAS compounds: PFOA, PFOS, PFNA, PFHpA, PFHxS and PFDA. The Department of Environmental Protection (Department) is applying these criteria for evaluation of PFAS compounds in private drinking water.

The results for the sample collected from your private well are below 20 ng/L for the six PFAS compounds; therefore, the Department does not recommend treatment at this time. The laboratory report, which includes the analysis results for your well water, is attached. If you are interested in additional information about these chemical compounds or the Department's Response to the AFFF release at the Brunswick Executive Airport, please feel free to visit our webpage located at:
<https://www.maine.gov/dep/projects/bnas/index.html>.

We appreciate your cooperation in the matter and want you to understand that our investigation on this topic is ongoing. The Department will contact you to request permission for a follow-up sample from your well in December 2024.

If you have questions regarding this report, please feel free to contact me at (207) 458-8839 or molly.king@maine.gov.

Sincerely,

Molly King

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Director, Division of Technical Services
Maine Department of Environmental Protection
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