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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON
ENVIRONMENT AND NATURAL RESOURCES**

IN OPPOSITION TO LD 1903

*An Act to Conform the State's Perfluoroalkyl and Polyfluoroalkyl Substances Laws
to Federal Standards*

May 12, 2025

Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Beth Valentine, and I am the Director of the Department of Agriculture, Conservation and Forestry (DACF) Fund to Address PFAS Contamination (PFAS Fund). I am speaking on behalf of DACF in opposition to LD 1903, *An Act to Conform the State's Perfluoroalkyl and Polyfluoroalkyl Substances Laws to Federal Standards*.

LD 1903 would severely limit the ability of the PFAS Fund to achieve its purpose.

In the spring of 2022, the Legislature established the \$60 million PFAS Fund to support commercial farms impacted by PFAS contamination (7 M.R.S. § 320-K). In accordance with statutory directives, DACF undertook an intensive strategic planning and rulemaking process to develop and implement a program to provide comprehensive support to producers by providing direct financial assistance, purchasing PFAS-contaminated land from willing sellers, supporting research to help inform on-farm management practices, and providing access to blood serum testing and other health-related initiatives.

The eligibility criteria for the PFAS Fund's various programs are spelled out in Department rules (01-001 C.M.R. c. 400-408). Essentially, a commercial farm is eligible for support if its soil, water, or products contain DACF-confirmed unsafe levels of PFAS, which we define as:

- soil test results exceeding any current Maine CDC crop-specific screening level (6.4 ppb PFOS),
- groundwater test results exceeding Maine's enforceable drinking water standard (20 ppt sum of 6 PFAS), and
- one or more samples of farm products showing PFAS exceeding current Action Levels (210 ppt PFOS in milk and 3.4 ppb PFOS in beef) or deemed of concern by the Maine CDC.

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These thresholds were established in consultation with the Maine Centers for Disease Control and Prevention to be protective of human health. When a farm's soil or water exceeds a threshold, DACF's PFAS Response Program will work with that producer to understand whether PFAS are present at concerning levels in farm products and, if so, recommend mitigation measures or, if necessary, issue a stop sale order.

Among other things, LD 1903 would redefine land "contaminated by PFAS" such that PFOS levels in soils would need to be 130 ppb, rather than 6.4 ppb, before a commercial farm could access support from the PFAS Fund. This extreme reframing of what constitutes PFAS contamination would lead to higher levels of PFAS in food and also prevent potentially dozens of farms from benefiting from the PFAS Fund's financial support programs, including income replacement payments, infrastructure grants, grants for professional services, and land purchases. DACF has successfully engaged with farms across all these assistance areas, and it would be a disservice to impacted producers to make it harder to access these important financial and technical tools.

LD 1903 undermines the intent of the Fund to Address PFAS Contamination and DACF's overall PFAS work. Accordingly, we oppose this bill. I'd be happy to answer questions now or at the work session.