



Henry L. Ingwersen
Senator, District 32

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Senator Henry Ingwersen in opposition to
LD 1982, An Act to Ensure Uniformity in the Regulation of PFAS
Before the Joint Standing Committee on Environment and Natural Resources

May 19, 2025

Senator Tepler, Representative Doudera, and esteemed members of the Environment and Natural Resources Committee, I am Senator Henry Ingwersen, representing Senate District 32, including the City of Biddeford and the Towns of Arundel, Dayton, Hollis, and Lyman. I'm before you today to testify in opposition to **LD 1982**, "*An Act to Ensure Uniformity in the Regulation of PFAS*."

As most of you know, I have been involved in the Maine Legislature's PFAS response since 2016, when constituents of mine discovered PFAS contamination on their farm in Arundel. Those were my friends Fred and Laura Stone, dairy farmers stewarding the land that Fred's father and grandfather before him had farmed. The contamination has devastated their business and impacted their family's health. At the time of the discovery, there were those in Maine state government who took a myopic view and claimed that the problem was unique to Fred's farm, even suggesting that he might have done something illegal to bring this problem on himself. But Fred and Laura urged ENR committee members to take the expansive view, investigate the wider problem and to look upstream towards the source of the problem.

Thanks to the leadership of the ENR committee, we understand just how wide the problem actually is and we've created a national model for how states can protect public health in the face of PFAS. The 492 rural homes with PFAS contaminated drinking water wells are getting access to water filters. The 82 PFAS contaminated farms are getting help to stay safely in business where possible. We have banned the practice of putting sludge on farms, and we created a first in the nation program to phase out unnecessary uses of these toxic chemicals. At Fred and Laura's urging, we have looked upstream, identified the sources of the problem and taken common-sense steps to prevent PFAS from contaminating Maine's natural resources in the future.

Fast forward through three legislative sessions, and Maine DEP is now several years into the orderly process of engaging all stakeholders to write and enact rules governing the PFAS in Products Law. The Legislature and the DEP have patiently considered the concerns of manufacturers and made numerous alterations to both the law and the proposed rules to ease any burden of compliance while retaining the essential, public health protections underlying the law. The Legislature has offered and then extended a generous compliance deadline, clarified exemptions for certain categories of products and created a pathway for manufacturers to obtain

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phase-out exemptions based on the currently unavoidable use framework. As other states like Minnesota, New York, California and Washington team up with us to regulate the chemicals, good faith manufacturers are innovating and introducing new PFAS-free products. The law is already working as designed.

Foundational to Legislature's and the Department's crucial work on the topic is Maine's PFAS definition. As a state, we define PFAS as "substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom."¹ We share this definition the Department of Defense & the US Congress² and at least 23 other states. It is in close agreement with the definition adopted by the international Organization for Economic Cooperation and Development, which is the basis for the European Union's PFAS definition. A 2024 letter in support of unified adoption of the single carbon-fluorine bond definition garnered signatures from at least 175 scientists representing academic institutions and non-governmental organizations across the US and the world.³

Maine's existing PFAS definition is not just widely supported, it is beautiful in its simplicity and its accuracy. PFAS are characterized by their indefinite environmental persistence, which has earned them the troubling moniker, 'forever chemicals.' The fully-fluorinated carbon atom, representing one of the very strongest molecular bonds in chemistry, is the basis of this of this deadly persistence. Outside of several expensive, emerging remediation techniques, PFAS will circulate endlessly in the environment, building up in our water, soil and our bodies, and impacting our health in the process. All the PFAS that have been rigorously studied have been linked with troubling health impacts during their manufacture, use and/or disposal. The fact that the newest, high-production PFAS are less well studied by independent scientists doesn't suggest that they're any safer than the legacy chemicals which continue to plague our farms and drinking water systems more than twenty years after they were phased out of production. On the contrary, the lack of rigorous health study for the many thousands of newer generation PFAS is only evidence of a broken federal chemical regulatory process, where impacted communities must suffer the health impacts of their exposure for decades while researchers build enough evidence to irrefutably push for a change in policy.

LD 1982 purports to ensure uniformity in regulation by rewriting the definition of PFAS, but it would only roll back hard-won health protections and create regulatory confusion. The bill

¹ Title 38 MRS §1614(1)(F) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS"

² US Congress, December 20th, 2019. *NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020*
<https://congress.gov/116/plaws/publ92/PLAW-116publ92.pdf>

³ *Abafe et al.* May 7, 2024. *Scientists' Statement on Defining PFAS*.
<https://drive.google.com/file/d/1YLB2zvWG5Ez6VeMqqbw77LpVEj0JTj1H/view>



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appears to draw its language from a definition proposed by EPA's Office of Pollution Prevention and Toxics in 2023. But the same year, the EPA announced its intention not to create a single PFAS definition, opting instead, in remarkably *dis-unified* fashion to define PFAS on a case-by-case basis⁴. A thorough review of internal EPA documents by Public Employees for Environmental Responsibility affirmed that different divisions within EPA were unknowingly using different PFAS definitions, with no coordination between scientists.⁵ PEER further went on to point out that there was "no scientific basis found for the Office of Pollution Prevention and Toxics working definition of PFAS, and no reasons given for excluding thousands of chemicals included in State definitions" like the one in Maine's statute. The definition proposed in LD 1982 wouldn't ensure uniformity at all. It would exclude many thousands of currently manufactured PFAS that represent a desirable income stream to industry.

In the nine years since Fred and Laura's terrible discovery, Maine has become a national leader in the fight against forever chemicals. Remember that where some narrow-sighted state officials initially saw a single-farm disaster, Fred and Laura saw a systematic problem in need of a system-wide solution. They asked us to take the expansive view, investigate the wider problem and to look upstream towards the source of the problem. LD 1982 offers a similarly myopic challenge to our PFAS in Products Law. We can take a reductionist view and drastically reduce the number of toxic forever chemicals regulated by Maine DEP, or we can affirm our commitment to the definition already in statute which is broadly backed by the scientific community globally and widely endorsed by our colleagues in state legislatures and departments of environmental protection across the country.

I urge the committee to vote Ought Not to Pass on LD 1982. Thank you for your time, and I'm happy to answer any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Henry Ingwersen", with a long horizontal flourish extending to the right.

Henry Ingwersen
State Senator, District 32

⁴ Inside EPA, June 15, 2023. *Increasing Fragmentation, EPA Drops Use of PFAS 'Working Definition'*. <https://insideepa.com/daily-news/increasing-fragmentation-epa-drops-use-pfas-working-definition>

⁵ Bennett, Kyla. June 10, 22. *Gaping Hole in Biden PFAS Strategy*. <https://peer.org/gaping-hole-in-biden-pfas-strategy/>