

Testimony of Maine Conservation Voters
Supporting LD 780
Before the Environment and Natural Resources Committee
April 5, 2021

Good morning Senator Brenner, Representative Tucker, and members of the Environment and Natural Resources Committee. My name is Beth Ahearn and I offer testimony in support of LD 780 on behalf of Maine Conservation Voters. Maine Conservation Voters (MCV) works to make protecting the environment a political priority. MCV supports this legislation chiefly because it will define PFAS as a hazardous substance in Maine law in accordance with federal law. Maine's law will include "substances defined as hazardous substances or pollutants or contaminants under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980"- which includes PFAS. This is important for the following reasons:

Toxic PFAS are contaminating our lands and waters.

So-called "forever chemicals," PFAS (per- and polyfluoroalkyl substances) pose significant health risks, particularly for pregnant women and children. They increase the risk of certain cancers, may lower a woman's chance of getting pregnant, may interfere with immune system responses, and have been associated with liver dysfunction and increased cholesterol.

Because PFAS do not break down, these chemicals remain in any environment they contaminate unless cleaned up. PFAS-contaminated sludge was spread on fields across Maine as fertilizer. Only a handful of the approximately 500 farms that received sludge have even been tested to date and Governor Mills has asked the federal government for funds to do more testing. PFAS have also been released into the environment through discharge of Aqueous Film-Forming Foam (AFFF) used by firefighters, contaminating both soil and water; a bill you are addressing in other legislation.

There is funding to clean up these toxic chemicals — but DEP can't access it.

The Maine Department of Environmental Protection (DEP) needs to be able to access the resources of the the state's 'Uncontrolled Sites Program' (USP) to help clean up PFAS and other emerging contaminants. Currently, the list of chemicals allowed to be addressed through the USP is limited, preventing the state from accessing those funds allocated for cleanup. Farmers, landowners, and communities struggling with PFAS contamination are currently left with few options for recourse, with the state unable to determine cleanup priority.

LD 780 allows DEP to access funding.

LD 780 would allow DEP to classify PFAS and other emerging contaminants as hazardous substances under the USP. Classifying PFAS as a hazardous substance would make contaminated sites — including fields, farms, and water — eligible to be targeted for cleanup through USP.

LD 780 provides definition consistency.

Finally, this bill is about aligning definitions. It only makes sense to have federal law and state law consistent as to what constitutes a 'hazardous substance'.

For these reasons, please vote "ought to pass" on LD 780. Doing so will help protect our public health and environment by granting DEP access to funding that can clean up toxic PFAS sites. We are grateful to the DEP for submitting this legislation.