



15 University Drive  
Augusta, Maine 04330  
207-623-9511

April 5, 2021

Honorable Stacy Brenner, Senate Chair  
Honorable Ralph Tucker, House Chair  
Joint Legislative Committee On Environment and Natural Resources  
100 State House Station  
Augusta, ME 04333

Re: LD 960 An Act To Require Reporting of Perfluoroalkyl and Polyfluoroalkyl Substances, PFAS, in Products and of Discharges of Firefighting Foam Containing PFAS

Dear Senator Brenner and Representative Tucker:

The Maine Water Utilities Association (MWUA) appreciates the opportunity to provide testimony in support of LD 960.

**About MWUA.** The Maine Water Utilities Association is a nonprofit association based in Augusta that provides support for water works professionals throughout the State of Maine in advocating for safe drinking water through educational and technical programming as well as advocacy on the local, state, and national level. The Association was formed in 1925 and counts approximately 109 water utilities in Maine as members.

**Discussion.** LD 960 requires a person causing a discharge of a fire suppressant foam (firefighting foam) containing fluorinated surfactants to report the discharge to the Department of Environmental Protection (DEP) as soon as practicable or within 24 hours.

Fluorinated compounds are members of the class of man-made compound known as per and poly fluoroalkyl substances (PFAS). Because of their long-term stability in products and the environment, PFAS compounds are also referred to “forever chemicals.” Related to LD 960, a discharge of firefighting foam containing PFAS into the environment could lead to PFAS entering groundwater or surface water unless efforts are made to clean up the discharge.

Public water systems, including water utilities, are dependent upon groundwater and surface water supplies for the provision of drinking water to the public. Moreover, almost all sources of supply in Maine are in proximity to human development and infrastructure (e.g. roads and railroad tracks) within the watershed (for surface water supplies) or the recharge area (for groundwater supplies). Consequently, a discharge of firefighting foam on a building site or on a street or highway could occur near almost any source of drinking water supply.

Once these forever chemicals enter a source of supply, it can take years or decades for the compounds to dissipate. While water treatment systems can remove PFAS, the cost to install and maintain this treatment is very expensive. LD 960 is helpful to the extent it requires

**Letter of MWUA re LD 960**

**April 5, 2021**

**Page 2**

notification to the DEP when firefighting foam has been deployed, which offers the opportunity to mitigate the potential spread of the chemicals into the ground where it could contaminate a drinking water supply.

**Conclusion.** Requiring dischargers to notify the DEP will increase the likelihood that some or all the discharged foam is cleaned up before it can enter ground or surface water. This can save a water utility the cost of treatment or the development of a replacement source. Therefore, we strongly urge the Committee to support LD 960.

Yours for safe drinking water,

A handwritten signature in blue ink that reads "Roger Crouse". The signature is fluid and cursive, with the first name being more prominent.

Roger Crouse,  
Legislative Committee Chair, Maine Water Utilities Association  
General Manager, Kennebec Water District

cc: Bruce Berger, Executive Director  
James I. Cohen, Verrill Dana, LLP, Legislative Counsel