



## Maine Water Environment Association

### Protecting Maine's Water Resources

May 3, 2021

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

**Re: *LD 1503 An Act to Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution*  
*LD 1505 An Act to Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in*  
*Firefighting Foam***

Senator Brenner, Representative Tucker, and members of the ENR Committee:

The Maine Water Environment Association (MeWEA) appreciates the opportunity to provide the following testimony in support of LD 1503 and LD 1505.

**About MeWEA.** The Maine Water Environment Association is a non-profit, all volunteer association of over 650 members. MEWEA represents a diverse group of water quality professionals throughout Maine including wastewater treatment plant operators, sewer collection system operators, utility system administrators, consulting engineers, suppliers, contractors, public works officials, stormwater system operators, and regulatory officials. The mission of MeWEA is to support and enhance Maine's water environment community through promoting training opportunities; supporting balanced environmental policy and practice; promoting education and collaboration with the public to protect and enhance Maine's water resources.

**Discussion.** Previously, MeWEA submitted testimony in support of LD 960, a singular bill that combined the intent of both LD 1503 and 1505. We continue to support that bill, but we are also supportive of these bills in that they put more responsibility back on the sources of PFAS pollutants.

LD 1503 phases out all but unavoidable uses of PFAS (as designated by the DEP) in products by 2030 and creates the framework for a funding source for cleanup through the wallets of those that have profited through their use in lieu of the ratepayers and taxpayers. LD 1505 directly prohibits the use of firefighting foams that contain PFAS. We think both bills make sense and if choosing between the approaches in LD 1503/1505 as compared to LD 960, MeWEA prefers the language in LD 1503 and LD 1505 over the language in LD 960.

Turning to the specific language of LD 1505, it should be considered that local fire departments may be negatively impacted in terms of supply of foams not containing PFAS, legacy supplies of AFFF in their shelves, their ability to manage cleanup of any discharges, and finally and most importantly, their ability to fight fuel fires. While PFAS reduction is a well-supported goal, we would like to make sure that the immediate danger to life and health through fire-fighting is not outweighed by the longer-term effect of PFAS contamination.

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It is also important to be aware that we are discussing substituting a now known set of dangerous compounds with other substances that we may not be aware of their safety or long-term effects on human health or the environment. As you continue to discuss this legislation, please be cautious of unintended consequences if the process proceeds too quickly to allow for a sustainable solution. The longstanding practices in use, whether effective firefighting or biosolids management, require careful consideration of sustainable solutions moving forward.

Finally, a few general words about PFAS. PFAS has become a term that we all are now very aware of. The chemicals' negative influence within our environment and on human health has been dramatic. As representatives of wastewater and stormwater systems here in Maine, our member systems have already been impacted by PFAS compounds.

PFAS, in one form or another, is a product that has been used for decades, unknown to most users until recently. PFAS are man-made compounds that were introduced in the 1940's and have been used in food packaging materials, household products like water-repellent materials, nonstick products, polishes, waxes, paint and in fire-fighting foam. More recently, many manufacturers have stopped using PFAS compounds here in the United States.

We feel these bills will help our members and public utilities to avert additional contamination to our drinking water supplies, wastewater systems, and stormwater systems through better public understanding of the products they are using.

**Conclusion.** LD 1503, LD 1505 and LD 960 are all steps in the right direction, and MeWEA supports them all. These bills help to ensure that the public and the systems operators have the information needed to make well informed choices or responses to help protect public and environmental health. We strongly urge the Environment and Natural Resources Committee vote "ought to pass" on both LD 1503 and 1505 OR pass LD 960, but whichever direction the Committee takes, we respectfully request consideration of the sustainability of the regulations and how they impact public service entities.

Sincerely,



Tim Wade  
Chair, MeWEA Government Affairs Committee  
Operations Manager Greater Augusta Utilities District

cc: Phil Tucker, President MeWEA  
James I. Cohen, Verrill Dana, LLP, Legislative Counsel