

To: Senator Brenner, Representative Tucker, and Members of the Joint Committee for Environment and Natural Resources

From: Bradley Sawyer, Director of Government Affairs

Date: May 7, 2021

Re: Testimony in Opposition to L.D 1600, An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater

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Senator Brenner, Representative Tucker, and Members of the Joint Committee for Environment and Natural Resources, thank you for the opportunity to speak with you today. My name is Brad Sawyer, and I am the Director of Government Affairs for the Maine Rural Water Association.

This bill seeks to create a fund that would undertake the necessary work of testing soil and groundwater for per and polyfluoroalkyl substances. We recognize the need for a comprehensive conversation surrounding PFAS and testing soil and water certainly belongs in that discussion. As an industry we do not object to a testing program. Maine Rural Water and our members oppose L.D. 1600 for a single, fundamental reason.

This legislation places the cost square on the backs of utility ratepayers. It often seems that there is agreement during PFAS discussions that the average Mainer, the citizen unknowingly using these chemicals, should not be responsible for the cost of clean up and mitigation. However, this legislation does just that. Raising the cost of sewer districts and departments means that the funding will come from one of two places. In a sewer department, part of the municipal government, this revenue will come from property taxes, once again raising funds from budgets already stretched paper thin. For a district, the bill will be paid by ratepayers. Think of this as a use tax, it inherently hit lower income and disadvantaged populations harder than their more affluent neighbors. With the amount of funding being provided to states from the federal government these days surely there must be a better funding mechanism that taking more from low- and middle-income Mainers. Nothing in this bill seeks to recoup costs for testing from historic manufactures or polluters, a group often identified as the ethical source for remediation funds.

Legislation is often considered seemingly in a vacuum. That makes sense when trying to create sound policy without many of the side conversations that can sneak in and dilute a conversation. With this legislation I implore you to consider the broader picture. Utilities will be reacting to multiple new regulations and mandates this year, all which cost money. While there is money proposed in the Governor's economic plan for water and wastewater improvements that number does not begin to cover the cost for all utilities in Maine to keep up. This fund, if created, should be capitalized by federal or state dollars, or funds gathered from the manufacturers of these chemicals. If you have any questions or concerns, please do not hesitate to reach out to me at [Bradley.Sawyer@MaineRWA.org](mailto:Bradley.Sawyer@MaineRWA.org) or 207-737-9014.