

**Testimony of Conservation Law Foundation
Before the Environment and Natural Resources Committee
Supporting LD 1600
An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl
Substance Contamination of Land and Groundwater
May 7, 2021**

Senator Brenner, Representative Tucker and members of the Environment and Natural Resources Committee: My name is Phelps Turner, Senior Attorney at Conservation Law Foundation. I appreciate this opportunity to testify in support of LD 1600, An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater.

CLF is a non-profit, public-interest advocacy group that works to solve the environmental challenges that threaten the people, natural resources and communities in Maine and across New England. CLF advocates for homes, schools and communities in Maine that are safe from toxic chemicals, including per- and polyfluoroalkyl substances (PFAS), so that Mainers and Maine's environment are not harmed by PFAS and other dangerous chemicals.

CLF strongly supports LD 1600 because it requires the establishment of a much-needed program for testing of soil and groundwater for PFAS at locations in Maine that have received sludge and other residuals, and the establishment of a funding mechanism for that testing, all of which will allow us to better understand the extent of PFAS contamination in Maine.

I. PFAS Pose Serious Risks to Mainers' Health and Maine's Environment.

Mainers are exposed to PFAS chemicals in a number of ways, including by drinking PFAS-contaminated water, by eating PFAS-contaminated food, by using products made with PFAS and by breathing PFAS-contaminated air.¹ Scientific studies show that these exposures to PFAS chemicals may: increase the risk of cancer; lower a woman's chance of getting pregnant; interfere with natural human hormones and the immune system; inhibit growth and learning and interrupt thyroid function; and disrupt liver, thyroid and pancreatic function.²

Despite these well-known dangers, PFAS chemicals continue to be used widely in products many Mainers rely on every day, including non-stick cookware, water-repellent clothing, stain-

¹ Agency for Toxic Substances and Disease Registry (ATSDR), "How Can I be Exposed to PFAS?," <https://www.atsdr.cdc.gov/pfas/pfas-exposure.html>.

² Agency for Toxic Substances and Disease Registry (ATSDR), "Per- and Polyfluoroalkyl Substances and Your Health," <https://www.atsdr.cdc.gov/pfas/health-effects.html>; National Institute of Environmental Health Sciences, "Perfluoroalkyl and Polyfluoroalkyl Substances," <https://www.niehs.nih.gov/health/topics/agents/pfc/index.cfm>; U.S. Environmental Protection Agency, "PFOA, PFOS and Other PFASs," <https://www.epa.gov/pfas/basic-information-pfas>.



resistant fabrics and carpets, cosmetics and fire-fighting foams. Maine’s water supplies are also threatened by a number of other PFAS sources. For example, PFAS-contaminated sludge has been spread for decades on hundreds of fields across Maine as fertilizer.³ PFAS have also been released into the environment through the use and discharge of PFAS-containing firefighting foams.⁴ These releases and others have contaminated our environment and our water supplies.

PFAS chemicals are commonly referred to as “forever chemicals” because once they enter our environment and our bloodstreams, they remain for decades. Thus, the threats posed by PFAS chemicals to Mainers and Maine’s environment will persist until we start cleaning up the PFAS.

II. LD 1600 Will Help Protect Mainers’ Health and Maine’s Environment.

Although Mainers and Maine’s environment have been exposed to PFAS and the risks posed by PFAS contamination for decades, including by the decades-long practice of spreading of sludge and other residuals on farms and fields across Maine, there has been a severe lack of testing in Maine for PFAS contamination in soils and groundwater, among other sources. As a result, the extent of PFAS contamination in Maine is only beginning to be measured and understood.

By requiring the Department of Environmental Protection to develop and implement a program for testing for PFAS at the more than 700 locations that have received sludge, LD 1600 will help Maine and Mainers better understand the true scope and extent of PFAS contamination from these sludges. LD 1600 appropriately prioritizes testing at locations that received sludge prior to 2015, as they have potentially been exposed to greater PFAS contamination.

Further, by requiring the establishment of a fund for the testing, and requiring that it be funded by a \$10 per ton fee for any disposal of septage, industrial sludge, municipal sludge, bioash, wood ash or other residual, LD 1600 appropriately avoids placing undue financial burden on the Department of Environmental Protection.

In order for Maine to start tackling PFAS contamination, and the resulting harm to the health of Mainers and to the health of Maine’s environment, we must improve our understanding of the extent of PFAS contamination from these sludges. LD 1600 does just that.

Thank you for your time and attention to this important matter.

³ See, e.g., “Maine Dairy Farm Plagued by Chemical Contaminants May be Tip of the Toxic Iceberg,” March 23, 2019, <https://bangordailynews.com/2019/03/23/news/york/maine-dairy-farm-plagued-by-chemical-contaminants-may-be-tip-of-the-toxic-iceberg/>.

⁴ “Maine Plans to Search Out Firefighting Foam Containing Forever Chemicals,” July 5, 2019, <https://www.pressherald.com/2019/07/05/maine-plans-to-search-out-firefighting-foam-containing-forever-chemicals-3/>.