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**Testimony of Senator Trey Stewart
Before the Joint Standing Committee on Health and Human Services
Presenting L.D. 129, Resolve, To Protect Consumers of Public Drinking Water by
Establishing Maximum Contaminant Levels for Certain Substances and Contaminants
February 9, 2021**

Good morning Senator Claxton, Representative Meyer and distinguished members of the Health and Human Services Committee: I am State Senator Trey Stewart and I have the distinction of representing 51 communities in Aroostook and Penobscot Counties. I am here today to present to you L.D. 129, *Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants*.

This resolve is a request from the Governor’s Office, which seeks to implement recommendations of the PFAS Task Force that provided its report two years ago. To provide the Committee with some context of the overall efforts to curb the exposure of Mainers to the harmful substance, the Governor’s Office has multiple bills across different committees this session that work to achieve this goal. Those include this resolve aimed at reporting measures for public drinking water in front of this committee; a bill in the Appropriations and Financial Services Committee to create a bond proposal for remediation efforts where harmful levels of PFAS has been discovered; and multiple bills in the Environment and Natural Resources Committee that deal with reporting of manufacturers of PFAS including that which is found in firefighting foam.

Specifically, this resolve requires community water systems in schools and child care facilities regulated as non-transient, non-community water systems to conduct monitoring for PFAS substances. If the monitoring results detect the presence of PFAS at a level in excess of an interim standard, the water system is required to conduct additional monitoring. The resolve also directs the Department of Health and Human Services to undertake rulemaking to establish an enforceable maximum contaminant level for the sum of 5 PFAS by June 1, 2024, which can include adoption of a federal maximum contaminant level if one is available and at least as restrictive as the interim standard.

Essentially, this new standard will go into effect immediately, and will apply to areas that it previously hasn’t including Department of Defense sites, which have proven problematic. Under

this standard, testing for common water supplies, schools and daycares will begin within the year, with a move towards a permanent standard adopted within two years after the rulemaking process has accounted for public input.

In speaking with representatives from the Governor's Office and the Department, we feel comfortable recommending a change to this resolve that would lower the acceptable limit from 70 ppm at present to 20 ppm for two types of PFAS now. There is scientific support for this change that has recently come out which would support such a shift that wasn't available at the time of drafting the original language in this resolve. We would also retain the 70 ppm standard for the sum of all five PFAS contaminants. Again, this would be the interim standard until formal rulemaking has adopted a permanent one.

While there may be some who feel this measure goes too far and others who feel this measure does not go far enough, we want to underscore that this is an area of rapidly changing science. Recognizing this challenge, we still feel confident that there are a number of avenues we can come together in agreement on, like the need to move quickly on this issue, the inclusion of a "sum of five" measure, and the need for public input in the permanent measure through the rulemaking process.

By now, this committee has received much information on the dangers of PFAS in drinking water and the importance of limiting the public's exposure to the harmful chemical and remediating contaminated sites. This starts with testing that is consistent, effective, and available, which this resolve seeks to address. I want to take this moment to thank the Governor for inviting me to sponsor this bill and ensure that the approach to rectifying Maine's PFAS challenge is bipartisan and based on scientific principles. I feel confident in stating that ensuring our public has safe drinking water is a goal that we all share and I appreciate this committee engaging with this important effort in your jurisdiction of state law.

Thank you for your consideration of this measure and I'm happy to answer any questions the committee may have at this time.