Senator Carson, Representative Tucker, and honorable members of the Environment and Natural Resources Committee.

My name is Sharon Treat and I live in Hallowell. I am Senior Attorney for the Institute for Agriculture and Trade Policy (IATP), on whose behalf I am providing comments today on the Final PFAS Task Force Report. IATP is a 501(c)(3) nonprofit headquartered in Minneapolis, Minnesota with offices in Hallowell, Maine and other locations. IATP works closely with farmers and seeks to promote local, sustainable and environmentally beneficial agriculture and trade policies.  

Maine is facing a potentially enormous PFAS contamination problem. The data collected by the Maine Department of Environmental Protection and other state agencies are just the tip of the iceberg. The true impact of PFAS contamination on food and drinking water, the environment and public health is not known.

State-ordered testing in 2019 revealed nearly all sewage sludge used as fertilizer or for compost in Maine is contaminated with toxic PFAS. One Maine farm has been so heavily contaminated that it may never be remediated and cleaned up; for now, the farmer has been forced to close his generations-old farm.

While retail milk in the state has been deemed safe by the government, this is based on limited test results and outdated Environmental Protection Agency guidance as to what level of exposure is safe.

Only a handful of over 500 farms where sewage and other sludges were spread have been tested. Almost no septage has been tested; initial results show that septage could be as significant a source of contamination as sewage wastes.

The number one priority for this Committee should be to establish, without delay, a legally enforceable state drinking water standard (Maximum Contaminant Level or MCL) for the class of PFAS compounds.

The EPA guidance relied upon by DEP and the Maine Center for Disease Control is unenforceable, outdated and insufficiently protective. The failure of the Task Force to recommend setting a state MCL threatens public health, limits Maine’s legal authority, and hinders its efforts to collect data, require testing and cleanup, bring legal actions, and establish food safety standards, among other activities.
Three New England states are taking a more health-protective approach than Maine, which relies on an outdated federal advisory level that limits the sum of two PFAS chemicals to no more than 70 parts per trillion (ppt) in drinking water. In contrast, Vermont and Massachusetts limit the sum of five or six PFAS to no more than 20 ppt, while New Hampshire recently adopted standards for individual PFAS that range from 11 to 18 ppt. Other states that have established or are in the process of establishing stricter drinking water standards for PFAS include Michigan, Minnesota, New Jersey, New York and Washington.

**Test for all PFAS.** The full panoply of PFAS compounds that can be measured should be tested. State agencies shouldn’t limit testing to PFAS and PFOA but should include the full list of 25 compounds that current testing methods can identify and measure.

**As soon as possible, Maine should start phasing out agricultural use of sewage sludge and other residuals, including composted biosolids.** Put simply, it is no longer an environmentally sound practice to spread sewage and other “residuals” on fields of any kind.

It isn’t safe. We know that now. PFAS are especially persistent in the environment – they don’t break down and can bioaccumulate in both humans and farm animals. These chemicals are also extremely mobile, easily traveling through soils and groundwater, and can break down in ways that essentially create ongoing new sources of PFAS.

PFAS exposure has been linked to kidney cancer and testicular cancer, as well as thyroid disease, compromised immune systems and infertility.

Banning spreading of sewage sludge and compost is a major shift in policy. The transition should be accompanied by resources to aid, and opportunities for input, from those hurt during this transition.

Thank you for your consideration. IATP’s full comments, which were submitted to the PFAS Task Force, have been provided to the Committee.

Respectfully submitted,

Sharon Anglin Treat  
Senior Attorney, Institute for Agriculture and Trade Policy

Maine office:  
2 Beech Street, Suite D  
Hallowell, ME 04347  
streat@iatp.org

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1 IATP also has offices in Washington, D.C. and Berlin, Germany (IATP Europe). For over 30 years, IATP has provided research, analysis and advocacy on a wide range of agriculture-related issues including farm to school; climate; agroecology; soil health and water quality and access; farmworker health and economic security; and trade and market policies. For more information, see www.iatp.org.