



Media Briefing on PFAS “Forever Chemicals” Legislation, January 28, 2021
Statement of Sharon Treat, Senior Attorney, Institute for Agriculture and Trade Policy

Good morning. I am Sharon Treat, speaking to you from Hallowell, and representing the Institute for Agriculture and Trade Policy, a national nonprofit advocacy organization that works closely with farmers to promote local, sustainable and environmentally beneficial agriculture and trade policies.

Maine farmers have learned the hard way that PFAS threatens their health and livelihoods, and the viability of their farms. We now have two Maine farms forced to shutter their operations because of contamination from these toxic chemicals – one in Arundel and the other in Fairfield. In Fairfield, in addition to pollution at the farm, at least 29 drinking water wells in the area have been found to be contaminated with high levels of PFAS, a number that keeps increasing as more wells are tested.

In this PFAS-caused disaster, Maine’s farmers and their neighbors are on the front lines, their health threatened by contaminated drinking water, the viability of their farms and livelihoods threatened by PFAS-contaminated beef and milk that is unsafe, inedible and unsaleable.

This is a crisis on many fronts, and it needs a comprehensive and timely response from Maine government. The Governor’s Task Force on PFAS helped define the extensive scope of the problem, and guided data collection that definitively established that multiple waters systems, including for schools, have been contaminated. Data collected by DEP and reported to the Task Force found PFAS in fish caught in both rivers and lakes, from northern Maine to the Kennebec River. Because PFAS pollution is both an ongoing and a legacy problem, what has been revealed so far may be just the tip of the iceberg.

Data collected by DEP has identified 500 properties where sludge was spread over the past 40 years, but testing at most of those sites remains to be done. Who knows what housing or other development, may have been built on land that may be contaminated with PFAS, or the extent of ground and surface waters contaminated across the state?

We must not delay testing fields where industrial wastes and sewage and septic sludge have been spread over decades. It is equally imperative to halt ongoing practices that create PFAS contamination in the first place. Maine needs comprehensive policies to clean up PFAS pollution, require responsible parties to pay for the harm their products have caused, and enforceable drinking water standards that protect the health of current and future generations. **Fortunately, the legislation being rolled out today does all of that.**

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- It will phase in testing of historic sludge spreading sites. We have plenty of evidence from the Tozier and Stoneridge farms that sludge is a source of significant PFAS contamination. The public has a right to know if there are more contaminated sites; and we can't protect people from PFAS contamination if we don't know where it is.
- It will immediately establish a comprehensive health-protective drinking water standard for multiple PFAS chemicals. A drinking water standard for PFAS has been moldering at the federal government for years, despite known health problems linked to PFAS including kidney and testicular cancer, thyroid disease, infertility and compromised immune systems — which means PFAS exposure can make people more susceptible to COVID-19 health consequences and may limit the effectiveness of vaccines. *The current voluntary federal guidance is inadequate, and would be insufficiently protective even if it is written into law.*
- The legislation will begin the process of making sure that those who profit from PFAS-containing products, and are responsible for PFAS pollution, pay the costs of cleanup and remediation. Legislation will clarify rules governing lawsuits for compensation. Farmers and others who experience health problems, property damage and economic ruin from PFAS contamination should have clear access to the courts to sort out blame and assess liability for actions taken by manufacturers and other responsible parties.
- Legislation will designate PFAS as a hazardous substance so that the State can require responsible parties to clean up the pollution they have caused and pay for fixing the damage — instead of placing 100% of the costs on Maine taxpayers and those who, through no fault of their own, have been harmed. It will also make a down payment to Maine DEP to start cleaning up and remediating PFAS pollution at uncontrolled hazardous waste sites.
- And finally, and of utmost importance, it will begin the phase-out of non-essential PFAS from consumer products, carpets, pesticides and more. Unfortunately, as the legacy of even discontinued PFAS formulations lives on, newer PFAS compounds continue to be manufactured and remain ubiquitous in everyday consumer products. We can never solve the PFAS crisis unless we address pollution at the source.