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IATP ENCOURAGED BY INITIAL COMMITTEE VOTE BANNING SLUDGE SPREADING TO CURB PFAS CONTAMINATION

IATP applauds effort to halt spreading of unsafe PFAS-contaminated sludge contaminated with forever chemicals on agricultural land

MINNEAPOLIS/Hallowell, Maine—Today, 10 of 13 members of the Maine Legislature’s Environment and Natural Resources Committee voted to ban the unsafe practice of spreading sludge and sludge-derived compost on land. In a series of votes on alternative amendments to LD 1911, "An Act To Prohibit the Contamination of Clean Soils with So-called Forever Chemicals," a bipartisan majority supported an outright ban on the practice, which has contaminated untold acres of farmland and hundreds of residential drinking water wells.

Two “ought to pass” versions of the bill were voted, the only difference being the level of detail in new language proposing a fund to help mitigate the cost for municipalities to shift from land application to disposal in a landfill. If enacted by the full legislature, the ban will be a major step toward “turning off the tap” to prevent future Per- and Polyfluoroalkyl Substances (PFAS) contamination of farm and garden soils, and continue Maine’s transition to more ecological, resilient farming.

“We strongly encourage all members of the committee to work together to agree on the details of the municipal assistance fund, and for those members voting against the bill to reconsider their votes,” said Sharon Treat, senior attorney at the [Institute for Agriculture and Trade Policy](https://www.iatp.org).

“Farmland and good soils are too precious to destroy in exchange for short-term cost savings on waste disposal,” Treat stated. “There are legitimate concerns about increased costs, and the amended bill does address those concerns. But the reality is Maine is already facing a massive PFAS-caused financial bill that will only worsen unless sludge-spreading is stopped now.”

In today’s meeting on LD 1911, committee members reported numerous phone calls over the weekend from municipalities and constituents worried that landfill space will not be available or that the state-owned but privately operated Juniper Ridge Landfill would refuse to accept sludge or compost in the future. However, Department of Environmental Protection Commissioner Melanie Loyzim and other top DEP staff provided detailed information that made clear that landfill space will be available, particularly if loopholes in Maine law that allow waste generated outside the state to be landfilled at Juniper Ridge are closed in related legislation.

In Maine and other states, municipal wastewater sludge and compost derived from sludge, used as fertilizer for decades, have been found to contain PFAS. These man-made chemicals, including PFOA, PFOS, and GenX among others, are especially persistent in the environment and known as “forever chemicals” because of their long half-life and the fact they bioaccumulate in humans, wildlife, farm

produce and animals. PFAS exposure has been linked to health problems, including kidney and testicular cancer, thyroid disease, infertility and compromised immune systems.

Maine has identified over 700 locations, much of it farmland, where municipal and industrial sludge and septage was spread over the past 40 years. Recent testing has revealed that nearly all sewage sludge and sludge-derived compost used as fertilizer in the state is contaminated with PFAS. Additionally, compost made from wastewater sludge, which also is contaminated with PFAS, is marketed to households throughout the nation and used on food grown in home gardens.

IATP is also calling on the federal government to help Maine and other states facing PFAS issues. “Sludge-spreading is a common practice across the United States, encouraged by federal law and inadequately regulated by the Environmental Protection Agency,” said IATP’s Treat. “Calling industrial and human waste byproducts biosolids does not change their essential nature nor remove any of the hundreds of toxic chemicals, metals, pharmaceutical and other contaminants, including PFAS, that municipal wastewater treatment plants were never designed to destroy or control. To protect our food, drinking water, environment and farms from further contamination, EPA needs to step up and immediately ban the practice of land spreading these wastes. Maine and other states need funding and technical help from the U.S. Department of Agriculture to test farmland and food, and to help farmers restore the health of both their farms and their families.”

Until new PFAS destruction technologies are fully developed and commercialized, PFAS-contaminated sludge must be landfilled in lined facilities with leachate collection and treatment. While landfills produce leachate that contains PFAS, in the medium term, it is possible to ensure a closed-loop system that keeps contamination out of soil and water and avoids air emissions caused by incineration.

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