



MOFGA Testimony Generally In Opposition To
*LD 188 - An Act to Require the Department of Environmental Protection to Pay for Certain
Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances*

February 15, 2023

Good morning Senator Brenner, Representative Gramlich and members of the Joint Standing Committee on Environment and Natural Resources. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). A broad-based community, MOFGA is creating a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities.

I am speaking in opposition to LD 188 - *An Act to Require the Department of Environmental Protection to Pay for Certain Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances*. This bill amends the waste discharge licensing laws to provide that, if the Department of Environmental Protection requires a person licensed to discharge wastewater to sample the effluent discharged for per- and polyfluoroalkyl substances (PFAS), all costs associated with the sampling and testing of samples must be paid by the Department.

While we understand that testing for the presence of PFAS in water, soil, food, wildlife and our own bodies is very expensive, MOFGA supports the principle that polluters should pay. Ultimately, the manufacturers of PFAS who created the crisis must be held accountable for the global contamination they have caused. After several years of headlines about widespread PFAS contamination in Maine waters and on Maine farmland, and the astounding harm caused by the forever chemicals, it is inconceivable that private companies licensed to put wastewater into the Maine environment would want taxpayers to pick up the tab for testing.

Maine has already committed more than \$100 million in taxpayer funding to address widespread PFAS contamination. Much of that funding will be sent as emergency relief for farmers who, through no fault of their own, have had their livelihoods pulled out from under them. At least 50 Maine farms are struggling with serious PFAS contamination. Six more await news of how badly contaminated their farms are. And hundreds more will be assessed in the coming year. There are roughly 1,000 sites in Maine where sludge has been spread, and it is too early to tell how much money will be needed to address the contamination. We know that a lot more than \$100 million will be needed to help farmers and communities impacted by PFAS.



At least 345 wells have been contaminated with PFAS primarily as a result of sludge spreading on farmland. Water contamination from PFAS is widespread as we learned from studies from the state agencies. A recent compilation of data from the U.S. Environmental Protection Agency¹ shows that fish in waterways from the St. John River in northern Maine to the Saco River in York County are highly contaminated with PFAS.

Ultimately, the manufacturers of the forever chemicals must be held accountable for the widespread damage they have caused. They need to reimburse Maine taxpayers. Thank you very much for your consideration of this bill. I would be happy to answer questions.

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 15,000 members, we certify more than 500 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.

¹ 'Forever chemicals' in freshwater fish. Environmental Working Group report. January 2023. And EWG study: Eating one freshwater fish equals a month of drinking 'forever chemicals' water.