

Date: December 4, 2019

To: PFAS Task Force

From: Representative Henry L Ingwersen, House District 10 - Arundel, Dayton, Lyman, (part)

Re: PFAS Task Force Draft Report Comments

First, let me say I applaud the hard work the PFAS Task Force has been undertaking these many months to address the serious and seemingly pervasive problem of PFAS contamination in Maine. This draft report is a great first step in trying to deal with this issue. I would like to recommend the following improvements to this report:

1. Most importantly, both public and private actions are needed to ensure that uncontrolled PFAS pollution sites are cleaned up and that compensation is paid. It does no good at all for us to discover PFAS pollution and have no recourse in place for landowners and private citizens who are facing loss of income or danger to their health. Current Maine law is inconsistent and unfair, allowing State government to initiate an action against a responsible party within 6 years of the discovery of PFAS pollution, but requiring private citizens to initiate an action within 6 years of the occurrence of PFAS contamination. Therefore, the **PFAS Task Force should recommend that the Legislature change the statute of limitations for private actions to 6 years from discovery of PFAS pollution.**
2. Testing of all Maine land where sludge was historically spread with a clear plan and timetable: the DEP has compiled a list of almost 500 sites, mostly farmland, where sludge was spread over the last 40 years. Data is clearly needed on whether or not these sites are contaminated. **The PFAS Task Force should recommend that DEP develop a plan and timetable for testing all sludge spreading sites in Maine to find any as-yet undiscovered contamination.**
3. **The TASK Force should recommend testing of farm products and private wells on any farmland found to have PFAS contamination of the soils detected above a screening level set for beneficial use of residuals.**
4. **The Task Force should recommend that the Dept. of Health and Human Services require all community water systems in Maine to test their drinking water for for all measurable PFAS and make this data publicly available.**
5. **The Task Force should recommend that if any PFAS are detected in tested community drinking water supplies, the DEP shall investigate potential sources of the contamination and test any nearby private wells for potential PFAS contamination.**
6. **The Task Force should recommend that the Maine CDC adopt Maine-specific health risk levels for all PFAS compounds with sufficient data, based on the best available science. The risk values should inform a proposed adoption of a Maine drinking water standard for all total PFAS.**
7. Similar to action taken by Washington State, the Maine **PFAS Task Force should recommend legislation to phase out non-required uses of fluorinated**

**Aqueous Film-Forming Foam (AFFF) with manufacturer take-back responsibility.**

8. Similar to New Hampshire and other states, **the Task Force should recommend that that the Maine Attorney General take legal action to seek cost recovery from PFAS manufacturers.**

Thank you for taking my comments and suggestions into consideration.

Representative Henry L. Ingwersen