

December 5, 2019

Dr. Meredith Tipton, Chair
PFAS Task Force

VIA EMAIL

Re: Comments for the PFAS Task Force's Final Report

Dr. Tipton

Thank you for the opportunity of providing the following input. You, the Task Force members and State staff have worked diligently of this topic for several months. Many opinions have been expressed and discussed. I compliment you on keeping the dialog professional and productive. Along that line, we all want a productive outcome to this initiative; giving the Governor a solid set of recommendations for her consideration and action.

The Governor's Order establishing the Task Force is clear. In simple terms, the Task Force's mission is to identify, address and chart a course toward mitigating the risks of PFAS to the people of Maine and to Maine's environment.

The following comments are being provided in the order presented in the current draft of the report:

1. Identifying and Reducing Sources of PFAS

A very important and achievable task for the State is to search out, identify and evaluate all existing PFAS "hot spots". After having personally dealt with local and regional PFAS issues for the past three-plus years, the writer is of the firm belief that Maine has many such sites, in great part due to the lack of knowledge about the environmental implications of PFAS by the involved parties at that time. Also, with our increased awareness and knowledge, it is unlikely that many additional sites will be added to the list. This leaves us with the unavoidable conclusion that the vast majority of Maine's PFAS contamination issues relate to past practices. As such, it is incumbent on us to do our best to identify its extent. When considering the random discovery of one (now out of business) dairy farm in Arundel having over 800,000 PPT of PFAS in its soil nearly 30 years after PFAS-laden residuals were spread (as was the case with hundreds of Maine farms), this point cannot be taken lightly. ***Due to its importance, this task must be clearly stated as a stand-alone item and given a high and urgent priority.***

Related to the topic of existing PFAS sites is the historic use of AFFF (fire fighting foam). The Task Force's AFFF Committee should be commended for their efforts in attempting to determine the extent of AFFF use and inventory. It is now obvious that the

State must have full access to all past uses, including in particular past fire training exercise locations. In all likelihood, those locations will have the highest levels of PFAS contamination. ***Legislation should be proposed to give the State the authority to acquire all such information.***

2. Providing Safe Drinking Water

The writer supports a customer notification level below 70 PPT, with the condition that the Drinking Water Program or its assigns first develop the notification verbiage and related educational information for the public to properly interpret the notification and have a better understanding of PFAS risks and exposure pathways. Recent scientific studies are indicating statistically measurable health risks related to at PFAS in drinking water at levels below 70 PPT. As a drinking water professional, the writer feels that we should err on the side of caution, while not creating unnecessary fear and distrust. As such, well thought out proactive (and not reactive) actions are paramount. It would be prudent to have all community water systems and all schools and daycare facilities regulated as non-community non-transient (NCNT) water systems test for PFAS at least once, and periodically thereafter depending upon the initial results and upon the discovery of potential local contamination risks. ***Funding assistance for this initial round of testing should be provided***, as many of the NCNT supplies would struggle with the \$300 to \$500 cost (including refrigerated shipping) for such a test.

The topic of private wells must be (and thankfully is) addressed in the report. With approximately 50% of Maine's population being served by private wells and with this segment of the population not being directly represented on the Task Force, this area of concern deserves special consideration. Understandably, administering a program for such a diverse and widespread population group can be problematic. In spite of that concern, the writer recommends that ***funding assistance be provided for the testing of all private wells that are likely to be impacted*** as further described in this section of the Report.

3. Protecting our Food Supply

Food has been determined to be a significant PFAS exposure pathway. The Report's recommendations relating to Federal actions are sound. With respect to food produced in Maine, the extensive investigations specified in item 1 above are needed. In addition, there is still much work to be done in determining the actual uptake of different PFAS in different crops. Meanwhile, ***the testing of crops grown on known PFAS-contaminated farm fields should be mandated and funded by the State.***

4. Responsible Waste Management

It is the writer's opinion that the highest concentration of PFAS from the spreading of residuals on Maine's farms and other sites is from industrial, rather than domestic

wastewater residuals. That said, it is obvious that the general public is flushing small amounts of PFAS down the drain, ending up in septic tanks and in wastewater treatment facilities. Obviously the first priority is to “turn off the PFAS faucet”, which is a multi-faceted initiative, including public education and the promulgation of Federal and State laws and regulations. Meanwhile, Maine should use the data from the investigation stated in Item 1 above to determine if domestic wastewater residuals (as compared to industrial residuals) has impacted Maine’s drinking water and agriculture. This may result in the setting of more reasonable PFAS screening levels in wastewater residuals that are based upon actual field data.

5. Public Education

This is a critically important and urgent initiative. Work should begin on this item immediately, in light of the attention that will likely be brought to the topic when the movie *Dark Waters* is widely seen over the next few weeks. On an ongoing basis, the challenge is to provide timely, informative and credible information to the public, in a fast-paced electronic world, fraught with misinformation and fear.

6. Demand for Federal Action

Under Item A) Source Reduction - ***the request that the USEPA add PFAS to the hazardous Substance list should be clarified to exempt water and wastewater treatment facilities***, as proposed in testimony provided to the USEPA by several national water and wastewater organizations, which can be found online.

7. Funding for State Actions

As discussed in the November 26, 2019 Task Force meeting, the writer recommends a more specific list of funding recommendations, including need for additional staff and financial resources for the regulatory agencies. As currently drafted, it is felt that the Governor is getting little direction from the Task Force in this area.

It has been and will continue to be my pleasure to contribute to the health and prosperity of our Great State of Maine. Thank you for the opportunity to serve.

Sincerely,

Norm Labbe, PE