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MAYOR

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SB0956

February 20, 2024

TO: Members of the Senate Education, Energy, and the Environment Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 956 - Environment - Water Pollution Control - Protecting State Waters from PFAS Pollution (Protecting State Waters From PFAS Pollution Act)

POSITION: Letter of Concern

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) wishes to **express concerns with SB 956 due to potential operational and fiscal implications** for the City of Baltimore. It has consistently been the city's stance that the financial burden associated with the containment and treatment of PFAS should be shouldered by the manufacturers that produce and profit from them.

The City of Baltimore has a pretreatment program that is overseen by the Maryland Department of the Environment (MDE) in accordance with the Environmental Protection Agency's (EPA) national pretreatment program. This program requires industrial dischargers to the public sewer system to apply for a wastewater discharge permit. These permits prescribe limits for certain components of the used water that would be discharged to the public water system.

The bill's PFAS discharge limits will necessitate operational changes, both for industry and for the city, including evaluating current treatment operations, and potentially adopting new technologies for pretreatment facilities. SB 956's criteria could significantly expand the number of facilities classified as Significant Industrial Users (SIU), thereby increasing our agency's monitoring responsibilities. This expansion would require the city to conduct an increased number of inspections, as well as enforcement. Adapting to the bill's mandates would involve a detailed evaluation of current discharge practices and treatment equipment, potentially revealing the need for substantial upgrades or modifications to infrastructure.

The bill's immediate impact on the Quarantine Road Landfill's leachate discharge to the Patapsco Wastewater Treatment Plant may necessitate adopting pretreatment measures to address PFAS contaminants. This is particularly important in managing landfill leachate, the liquid runoff that accumulates in designated ponds to prevent it from seeping into local water systems. This legislation could potentially mandate additional comprehensive pretreatment prior to discharge to the public water system.

We respectfully ask the committee to consider these concerns when addressing the bill. While we recognize the challenges and costs associated with removing PFAS compounds from the environment, the City of Baltimore hopes to mitigate these costs by advocating for the recovery of costs, at a minimum, from the manufacturers and retailers of these products.