



Support for Senate Bill 956

Dear Chairman Feldman and Members of the Committee:

The Chesapeake Legal Alliance supports SB 956.

As this committee is aware, our understanding of the risks posed by PFAS chemicals has expanded rapidly in recent years. Controlling PFAS chemicals has consumed many environmental and public health agencies and implicates nearly all major environmental regulatory frameworks. Just within the last month, the U.S. Environmental Protection Agency has proposed two separate hazardous waste rules to better safeguard Americans from PFAS chemicals. However, despite the flurry of agency activity and the mounting evidence about the sources, fate, risks, and methods of control of this class of chemicals, one thing that remains missing are laws and regulations that actually attempt to control them at the source. This bill would be an important step in that direction.

Scientists and regulators now have a pretty clear understanding of which industries and types of facilities are most likely to pose a threat of contamination for nearby communities. And thanks to recent scientific and technological advances, the private sector can now provide pollution control technologies and PFAS-alternatives to enable past and present users of these chemicals to move beyond them. Without clear legal standards or regulatory incentives, however, these new technologies will not be utilized and we will continue to kick this can down the road, needlessly exposing countless Marylanders to the well-documented health risks associated with PFAS chemicals.

Finally, it must also be noted that this bill would address PFAS chemicals in the most efficient and common sense manner possible: by going straight to the source. It is particularly important to ensure that facilities with so-called “pretreatment permits” are required to control their PFAS discharges, because these facilities, by definition, discharge pollution into our municipally-owned sewer systems. It is simply bad policy to foist the cost of pollution control from profitable industries to municipalities struggling to balance a budget and facing long-term infrastructure maintenance costs borne by their ratepayers and taxpayers. If PFAS chemicals are not controlled at the source, they will be left to municipal wastewater treatment plants to deal with. And given that no current wastewater plant is equipped to filter PFAS chemicals at this time, this means that the municipalities will themselves be discharging unsafe pollutants into our waters or, worse, into the surrounding communities during sewer system overflows.

For these and many other reasons we support Senate Bill 956 and the need to begin focusing on controlling the source of PFAS chemicals that have been and continue to sicken and kill Marylanders.

For more information, you may reach Evan Isaacson at evan@chesapeakelegal.org.