



LEGISLATIVE POSITION:

Unfavorable

House Bill 1153

Protecting State Waters From PFAS Pollution Act

House Environment & Transportation Committee

Friday, March 1, 2024

Dear Chairman Korman and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic growth and prosperity for Maryland businesses, employees, and families.

HB 1153 would lower the discharge limit for PFAS to 4 parts per trillion (ppt) and would apply to any industrial user who is engaged in manufacturing, fabricating, assembling goods or as otherwise identified by the U.S. Environmental Protection Agency (EPA) or the Secretary. While we understand the importance of addressing PFAS contamination, we believe that if this bill passes as currently written, it will have significant adverse impacts on the business community.

The bill proposes standards well below those proposed by the EPA, creating a substantial technical and economic burden for businesses. While the EPA proposed drinking water standards of 4 ppt for only two PFAS – PFOA and PFOS, HB 1153 encompasses all PFAS without considering their diverse properties or EPA's approach. We suggest differentiating the types of PFAS that would apply, specifically focusing on the legacy PFAS, PFOA and PFOS, identified by EPA.

We are also concerned that this legislation may unfairly target manufacturers without considering the complexity of PFAS contamination. It fails to account for the possibility of PFAS contamination that may be beyond a manufacturer's control, such as environmental background levels that may already exceed the proposed discharge limit. This could unfairly penalize manufacturing facilities for contamination that originates from sources outside of their operations, such as PFAS present in intake water.

Implementing such stringent standards for all PFAS in wastewater discharge would pose challenges to Maryland's industries and wastewater utilities. This blanket approach disregards the fact that industry is not the sole source of PFAS, complicating compliance efforts.

For these reasons, the Chamber respectfully requests an **unfavorable report** on HB 1153.