

DANA M. STEIN
Legislative District 11B
Baltimore County

—
SPEAKER PRO TEM
—

Environment and Transportation
Committee

Subcommittees

Chair, Environment

Natural Resources,
Agriculture and Open Space



The Maryland House of Delegates
6 Bladen Street, Room 301
Annapolis, Maryland 21401
410-841-3527 • 301-858-3527
800-492-7122 Ext. 3527
Dana.Stein@house.state.md.us

The Maryland House of Delegates ANNAPOLIS, MARYLAND 21401

Delegate Dana Stein's Testimony in Support of HB909 – Sewage Sludge Utilization Permits – Per- and Polyfluoroalkyl Substances – Concentration Limits

HB 909 builds on the work this Committee has already done on PFAS, a class of toxic chemicals that cause significant health risks in people who are exposed, including: higher cholesterol, impacts on liver enzymes, decreased vaccine effectiveness in children, increased risk of high blood pressure, increased risk of many cancers, and decreased infant birth weight.

In the past four years, the Maryland General Assembly has

- banned the use of PFAS in cosmetics¹, firefighting foam, food packaging, rugs and carpets²;
- required the Maryland Department of the Environment (MDE) to prepare a PFAS Action Plan, including minimizing Marylanders' exposure to PFAS and identifying, assessing, and cleaning up historical PFAS in the environment³; and,
- required MDE to identify significant industrial users of PFAS, develop monitoring and testing protocols for those significant industrial users, develop PFAS action levels for addressing PFAS contamination from industrial discharge for pretreatment permits, and develop mitigation plans for reducing the presence of PFAS in industrial discharge.⁴

But, PFAS chemicals are contained in another, perhaps more damaging, use: the biosolids resulting from wastewater treatment plant (WWTP) operations that are sold to farmers to apply as fertilizer on their crops. By applying these biosolids, farmers are inadvertently poisoning their crops and livestock and their fields. Remember, these are "forever chemicals."

And, from the fields, these chemicals run off into local streams, affecting fish and wildlife, and into the groundwater, poisoning drinking water wells.

HB 909 would require testing prior to these biosolids being applied and would set a limit of what level of PFOS and PFOA (two of the PFAS class that are widely known to be the most toxic) can be in the biosolids that are land applied.

¹ HB 643 (2021)

² SB 273/HB 275 (2022)

³ *Id.*

⁴ SB 956/HB 1153 (2024)

Advocates and MDE have been working closely for several weeks on amendments to this legislation that would provide WWTPs more time to make the changes needed to reduce PFAS from biosolids. There is recognition that MDE needs the latitude to regulate the process, rather than passing legislation that is too prescriptive.

The most important goal, however, in recognition of the dangers of PFAS, is to ensure that final limits are not set above 25 parts per billion for PFOS or 10 parts per billion for PFOA. These numbers are in line with the statistical analysis that MDE has done.

I'm hoping that MDE and the bill advocates will be able to resolve remaining issues quickly and provide amendments to this bill that works for stakeholders.

For the foregoing reasons, I respectfully request your favorable report on HB 909.