



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB 686 – PFAS Chemicals – Product Phase Outs and Registration Requirements

Chair Feldman, Vice Chair Kagan, Members of EEE:

This Committee is well-aware of the dangers of PFAS (Per- and Poly-Fluoroalkyl Substances), toxic chemicals which cause increased risks of cancer, infant mortality, reproductive harms, depressed immune systems, and developmental effects in children, among other health problems. The challenge we face is how to protect our people and our environment when PFAS chemicals are everywhere and in many things. This body has taken a measured and methodical approach: turn off the spigot, address areas that pose the highest exposure for humans, and hold the users of PFAS responsible.

Our legislative efforts have centered around that approach.

2020 – prohibited use of intentionally added PFAS in firefighting foam for testing/training.

2021 – prohibited the use of PFAS in cosmetics.

2022 – prohibited the use of PFAS in firefighting foam, rugs/carpets and paper-based food packaging.

2024 – directed the Maryland Department of the Environment (MDE) to develop PFAS monitoring and testing protocols for Significant Industrial Users of PFAS (SIUs); directed MDE, with Publicly Owned Wastewater Treatment Plants (POTWs) and SIUs to develop PFAS action levels and mitigation plans; and required SIUs to measure their PFAS levels and implement reduction measures.

Last year I brought to you a bill relating to the spreading on agricultural land of biosolids with excess PFAS. One thing we heard over and over again from the wastewater treatment plants is that much of what is in their system comes from residential waste. SB 686 is a direct response to their concern.

SB 686 has three components. First, it would phase out the use of intentionally added PFAS in common household items such as dental floss, menstrual products, cleaning products, pet food packaging, cookware, and personal care products. The items in this bill were intentionally chosen to minimize health risks and is informed by the work many other states have done and are doing.

Second, SB 686 draws from what other states have done by including a registration requirement for those products that have unavoidable uses of PFAS and requiring them to pay a fee. For although the use has been deemed ‘unavoidable,’ the products still contain PFAS and therefore

still present harm. The manufacturers of those products should also be contributing to the mitigation of the harm they are causing.

Third, SB 686 creates a special fund that would receive monies from registration fees, law suits, general fund transfers, and donations, and would spend it on remediation, monitoring, community assistance, and research & innovation.

By turning off the spigot of PFAS in these products, we can reduce our exposure to these toxic chemicals, as well as reduce PFAS that are coming out of our treatment plants and onto our agricultural land. Through the registration and the fund, we can address the contamination that continues to occur and ensure that the polluters – not the taxpayers – are paying for the remediation.

For these reasons, I respectfully request your favorable report on SB 686.