



THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

Chair Feldman, Vice Chair Kagan, and Members of the EEE Committee:

This Committee is well-aware of the dangers of PFAS (Per- and Poly-Fluoroalkyl Substances), toxic chemicals that cause increased risks of cancer, infant mortality, reproductive harms, depressed immune systems, and developmental effects in children, among other health problems. To date, this body has taken a measured and methodical approach in addressing PFAS: turn off the spigot, address areas that pose the highest exposure for humans, and hold the users of PFAS responsible.

SB 719 addresses an area that poses high exposure for humans: biosolids that are applied on agricultural land. Biosolids are the byproduct of wastewater treatment and are sometimes used as fertilizer. But PFAS—particularly PFOA and PFOS, the two most studied and well-documented toxic compounds—persist through the treatment process and concentrate in those biosolids. They build up over time on farmland, and according to the latest assessment from EPA they can pose significant risks to farmers, people who regularly consume food from their farms, and the environment.

SB 719 sets up a tiered approach regulating how much PFOA and PFOS can be in biosolids that are applied on agricultural land. It also gives wastewater treatment plants pre-treatment authority to look upstream and stop users of PFOA and PFOS from discharging them into the wastestream.

Context

Other states have learned the hard way the toxic and dangerous nature of PFAS on farmland. In Maine, farmer Bill Stone spread biosolids on his fields—consistent with Maine law—and lost his farm after PFAS contamination poisoned his soil, livestock, and family. Maine has now banned land application of biosolids and all Maine wastewater treatment systems must landfill or truck their biosolids out of state. Connecticut has done the same. In Texas and New Mexico, farmers have suffered devastating losses tied to PFAS contamination, with ongoing litigation and public health fallout. The New York Farm Bureau has publicly opposed land application unless testing confirms biosolids are free of PFAS.

SB 719 is the product of a year of work. During the session last year we worked on - and almost came to an agreement on - SB 732 (2025). Multiple stakeholder workgroups continued that work over the interim. Wastewater utilities, local government representatives, agricultural representatives, environmental advocates, and regulators were at the table. From that work we crafted SB 719, a measured, data-driven proposal.

Last year, utilities expressed concern that we lacked sufficient data. Today, we have it. Maryland has more than 250 wastewater systems. Only about 50 are currently permitted to land apply biosolids, and we have more than 500 samples from them measuring PFOA and PFOS. Of those:

- None that are currently land applying exceed the 50 parts per billion upper threshold in this bill.
- Only two—WSSC and Havre de Grace—fall between 25 and 50 parts per billion. And WSSC does not currently land apply in Maryland.
- Baltimore City is hovering right around the 25 ppb threshold, though it does anticipate those levels could rise. Notably it does not currently land apply in Maryland, though it may wish to in the future.
- DC Water is below 20 ppb and would not be affected by this bill
- Anne Arundel County is well below 25 ppb and would not be affected by this bill

What SB 719 Does

First, SB 719 prohibits land application of biosolids exceeding 50 ppb for PFOA and PFOS.

Second, for biosolids with a concentration of PFOA and PFOS between 25 and 50 ppb, it requires a mitigation framework developed with MDE—setbacks, timing restrictions, blending, and other risk-reduction strategies to limit exposure while upstream sources are addressed.

Third, SB 719 strengthens pretreatment authority, giving wastewater systems the authority to stop people from discharging PFAS down the drain. Utilities already have pretreatment authority for pathogens and other contaminants. This bill clarifies and strengthens their ability to identify high-concentration PFAS dischargers and require action—whether through onsite pretreatment, product substitution, or other mitigation. The best, durable, most equitable and cost-effective solution is to control the source of the PFAS in the first place. The authority includes the ability to assess fees or penalties on dischargers who fail to comply. That is how we protect ratepayers.

Why we need to act now

This bill is about protecting the health of Marylanders, the agricultural community, and our environment. We should not be ingesting food that has been contaminated by PFAS. Farmers should not bear the risk of losing their land, their markets, or their livelihoods because PFAS flowed through a wastewater system.

Further, land application of biosolids is a business, and currently there is a market for biosolids. But PFAS are shaking the foundations of that market. Currently Maryland exports the majority of its biosolids to be spread on farms in Virginia and Pennsylvania. Right now, there are three bills in the Virginia legislature that propose to ban the import of biosolids – including from Maryland.

If we wait until a Maryland farm is contaminated, people will be sick and farmers will lose their livelihoods. Public confidence in biosolids will collapse overnight. We will not be debating 25 or 50 parts per billion. We will be debating outright bans, emergency measures, and multimillion-dollar remediation costs.

We can either manage this transition thoughtfully today or be forced into crisis management tomorrow. SB 719 strikes the balance. It protects public health. It safeguards farmers. It preserves a viable biosolids program. And it places responsibility where it belongs—on those introducing PFAS into the system, not on ratepayers or agricultural communities downstream.

I respectfully request a favorable report on Senate Bill 719. Thank you.