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TESTIMONY IN SUPPORT OF HB0925

Sewage Sludge – PFAS Regulation
Environment and Transportation Committee
February 25, 2026

Dear Chair Korman and Members of the Committee:

I write in strong support of House Bill 925, legislation that takes a long-overdue and necessary step to address PFAS contamination in sewage sludge—commonly referred to as biosolids—before it further impacts Maryland's farms, waterways, and drinking water supplies.

At its core, this bill is about closing a dangerous and well-documented pathway of contamination. PFAS are not ordinary pollutants. They are highly persistent chemicals designed to resist breakdown, and as a result, they accumulate over time in soil, water, wildlife, and the human body. Wastewater treatment plants, which receive PFAS from household products, industrial discharges, and other sources, are not equipped to remove these chemicals. Instead, PFAS concentrate in sewage sludge. When that sludge is land applied as fertilizer, it becomes a direct mechanism for introducing PFAS into agricultural soils and the broader environment.

From there, the pathway is straightforward and deeply concerning. PFAS migrate into groundwater and surface water, are taken up by crops, and accumulate in livestock and dairy products. They move through the food system and into drinking water supplies. What begins as a waste management decision ultimately becomes a public health issue affecting farmers, rural communities, and downstream users alike.

Science has evolved rapidly in recent years, and it is now clear that PFAS pose risks at extremely low concentrations. The U.S. Environmental Protection Agency's recent draft risk assessment on biosolids underscores this reality, finding that even very low levels of PFAS can result in elevated cancer risks through common exposure pathways such as milk consumption or drinking water. Importantly, these assessments often examine a single pathway in isolation, while real-world exposure occurs across multiple pathways simultaneously. That means the true risk is likely higher than what is captured in any single model.

Maryland's own data reinforces the urgency of this issue. Recent statewide sampling of biosolids has identified PFAS levels that are well within the range of concern identified by federal risk assessments. In other words, this is not a hypothetical problem. It is already present in the materials being applied to farmland today.

This is why it is so important to be clear about what this bill does—and what it does not do. The 25 parts per billion threshold included in SB 719 is not a health-based standard. It is a practical, technology- and cost-informed compromise that reflects current capabilities and the need to begin reducing risk immediately. The best available science suggests that a truly health-protective level for PFAS in biosolids is likely closer to 1 part per billion or even lower.

But waiting for systems to reach that level before taking action would mean allowing continued contamination in the meantime. SB 719 instead represents a necessary interim step. It establishes a clear ceiling that begins to reduce the highest-risk applications today, while creating the framework—through testing, source tracking, and mitigation planning—to drive PFAS levels down over time.

In that sense, this bill should be understood not as an endpoint, but as the beginning of a transition. By requiring wastewater utilities to identify and reduce upstream sources of PFAS, it sets in motion the very changes needed to move toward truly health-protective levels. Without that mechanism, PFAS levels in biosolids will not decline. With it, we can begin to bend the curve.

Maryland has made meaningful progress in addressing PFAS contamination in other contexts. The state has taken steps to monitor drinking water, restrict certain uses of PFAS, and better understand how these chemicals move through the environment. However, one critical gap remains: there are still no enforceable limits on PFAS in biosolids applied to land. That gap allows contamination to continue in a way that is largely invisible until it is too late.

Senate Bill 719 addresses this gap with a thoughtful and balanced approach. It does not seek to eliminate the use of biosolids outright, nor does it ignore the operational realities faced by wastewater utilities. Instead, it creates a tiered system that reduces immediate risks while allowing time for adaptation. The inclusion of mitigation pathways, blending provisions, and transition periods reflects a deliberate effort to ensure that the policy is both effective and implementable.

It is also important to recognize the significant work that has already gone into shaping this legislation. Over the course of the 2025 legislative session and the nine months that followed, there has been an extensive stakeholder engagement process involving wastewater utilities, local governments, state agencies, and environmental organizations. Many of the stakeholders now expressing opposition—including wastewater treatment plants, MACo, MAMWA, MES, and others—were actively engaged in those discussions and, in many cases, initially indicated support for establishing PFAS limits in biosolids.

They raised concerns and proposed changes. Those changes were heard and incorporated. The current bill reflects that collaboration, including added flexibility and phased implementation provisions designed specifically to address those concerns.

It is therefore concerning to see a shift from engagement and constructive input to broad opposition. While continued dialogue is always important, this bill already reflects compromise. The 25 ppb threshold itself is a compromise—one that balances feasibility with the urgent need to reduce risk. If even that level of action is opposed, it raises a fundamental question about whether there is a willingness to move forward at all.

At the same time, it is important to keep in mind that preventing PFAS from entering the waste stream in the first place is the most effective and affordable strategy. Once these chemicals are in biosolids and applied to land, they are extremely difficult—if not impossible—to remove. Acting upstream is not only better policy; it is better economics.

Failing to act does not eliminate costs—it shifts them. Without safeguards, the burden falls on farmers who may lose their land or markets, on watermen whose fisheries are impacted, and on communities facing contaminated drinking water. Ultimately, taxpayers bear the cost of cleanup efforts that are far more expensive than prevention.

Potomac Riverkeeper Network has been working on PFAS contamination for years, including sampling efforts, mapping biosolids application sites, engaging with farmers and communities, and advocating for stronger protections. Through this work, we have seen firsthand how little awareness there often is about PFAS risks, particularly among those most directly affected. Farmers are being asked to make decisions about their land and livelihoods without full information about what may be present in the materials applied to their fields. Communities relying on private wells often have no routine testing or warning system in place. These are real and immediate concerns.

HB 925 represents a pragmatic and necessary step forward. It acknowledges both the science and the constraints of current systems. It reduces risk now while creating the conditions needed to achieve stronger protections in the future. And it begins to align responsibility with the sources of contamination, rather than placing the burden solely on those downstream.

This is ultimately a question of whether we begin making progress now or continue to delay while contamination spreads. PFAS will not resolve itself over time. Without intervention, it will only accumulate.

Maryland has long been a leader in protecting water quality and public health. This bill is an opportunity to continue that leadership by taking a meaningful step toward addressing one of the most significant and preventable pathways of PFAS contamination.

For these reasons, I respectfully urge a favorable report on House Bill 925.

Thank you for your time and consideration.

Sincerely,

Betsy Nicholas, President
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