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COLLEGE OF FOOD, AGRICULTURAL,  
AND ENVIRONMENTAL SCIENCES

April 18, 2022

Honorable Governor Janet Mills  
State of Maine  
c/o Tom Abello  
Email: [Thomas.abello@maine.gov](mailto:Thomas.abello@maine.gov)

Subject: LD 1911

Dear Governor Mills:

On behalf of a coalition of organizations dedicated to sound science and the protection of public health and the environment, we respectfully request that you veto LD 1911, which would effectively ban the land application of biosolids in the State of Maine. Our group includes the California Association of Sanitation Agencies (CASA); the North East Biosolids and Residuals Association (NEBRA), Northwest Biosolids (NW Biosolids), the Mid Atlantic Biosolids Association (MABA) and research scientists who work with biosolids. As background, the co-signatories collectively represent public wastewater treatment agencies and biosolids management practitioners across the United States providing essential public health services and engaged in advancing the recycling of wastewater into usable water, as well as the generation and use of renewable energy, biosolids, and other valuable resources. Through these efforts we help create a clean and sustainable environment for future generations.

We share Maine's concerns regarding the ubiquitous class of compounds known as per and poly fluoroalkyl substances, or PFAS, and our members are actively engaged in efforts to protect the public and environment from these compounds through more effective source control and other measures. However, the approach taken in LD 1911 is not supported by the science, would set a significant new national precedent, and will result in no measurable benefits to public health.

As part of performing the essential public service of wastewater treatment, the production of biosolids is an integral and beneficial component. PFAS are neither used or produced during wastewater treatment, nor in the production of biosolids. Rather we are "receivers" of these chemicals used by manufacturers and everyday consumers, and merely convey and manage the traces of PFAS coming into our systems daily. In order to address the true sources of these chemicals, it is imperative to discontinue and phase out production and use (both domestic and foreign) at manufacturing facilities and find safer alternatives for heavy use areas such as firefighting training sites.



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The pathways for PFAS exposure are numerous and can be far more significant than the incidental amounts found in most biosolids. For example, the use of PFAS in commercial products is common in households across Maine and the United States. They are commonly used in products as diverse as cosmetics, non-stick cookware, stain resistant furniture and carpets, wrinkle free and water repellent clothing, and of particular importance in Maine, in food packaging materials. In addition, household dust in the United States has mean and median concentrations of PFOA between 10,000 and 50,000 parts per trillion, which is many orders of magnitude greater than drinking water standards. Finally, legacy contamination at locations such as airports, and in industries that utilize PFAS in their manufacturing process (such as paper mills and chrome platers), can be sources of PFAS contamination. There is a significant difference between these contaminated sites / industrial sources, and the de minimis amounts found in biosolids. The approach taken in LD 1911 fails to distinguish between and appropriately prioritize from among these sources, and does not address the underlying issue of PFAS source control.

Most notably, the State of Maine has numerous paper mills that use PFAS in the production of food packaging and/or recycle such paper products. Issues with PFAS have been identified as a result of direct land application of “contaminated” paper mill residuals, or through the discharge of contaminated wastewater from paper mills to public municipal systems. These are historic occurrences which took place prior to general knowledge of the potential adverse impacts from these chemicals and can generally be addressed through source control measures at those facilities. Unfortunately, these isolated occurrences led to unfounded targeting of all biosolids land application as a mitigation basis and is the impetus for LD 1911.

The public wastewater sector across the nation shares a broad concern that the approach taken in Maine could be duplicated in other states and create undue harm to beneficial recycling programs that rely on land application of biosolids. Agricultural soil health is greatly enhanced by biosolids amendments on land across the country, land application allows states to achieve greater climate change mitigation through carbon sequestration and avoidance of fossil fuel intense inorganic fertilizer, and the banning of this practice will result in increased cost to citizens everywhere.

The wastewater community represented by our organizations firmly believes in our collective environmental mission and acknowledge and embrace our role as environmental and public health stewards. To that end, we support actions and regulations to enhance delivery of those services that are based on credible science and developed after due deliberation. Unfortunately, the legislation before you today does not meet those criteria and will fail to achieve its intended benefit.

The public wastewater sector across the nation stands ready to assist in mitigating PFAS contamination and its adverse effects. We urge you to veto this legislation and work with us to



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implement source control and product substitution as effective measures to protect public health. Please contact Greg Kester (CASA Director of Renewable Resource Programs) with questions or for further information at [gkester@casaweb.org](mailto:gkester@casaweb.org) or at 916-844-5262.

Sincerely,

Adam Link  
CASA Executive Director

Janine Burke-Wells  
NEBRA Executive Director

Amy Ohlinger  
NW Biosolids Executive Director

Mary Firestone  
MABA Executive Director

Dr. Sally Brown  
University of Washington

Dr. Nick Basta  
Ohio State University

Maria Lucia Silveira  
Chair, USDA W4170 MSR Committee  
University of Florida

Linda S. Lee  
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