Natural Resources Council of Maine
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Testimony in Opposition to LD 451, An Act to Require Testing of Solar and Wind Energy Developments for Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

To the Committee on Energy, Utilities and Technology
by Jack Shapiro, Climate and Clean Energy Program Director
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Senator Lawrence, Representative Sachs, members of the Energy, Utilities and Technology Committee, my name is Jack Shapiro, and I am the Climate and Clean Energy Director at the Natural Resources Council of Maine (NRCM). NRCM is a nonpartisan membership organization that has been working for more than 65 years to protect, restore, and conserve Maine's environment, now and for future generations. On behalf of our nearly 24,000 members and supporters, NRCM testifies in opposition to LD 451, An Act to Require Testing of Solar and Wind Energy Developments for Perfluoroalkyl and Polyfluoroalkyl Substances Contamination.

This bill would direct the Maine Department of Environmental Protection (DEP) to initiate a rulemaking to create regulations and requirements for testing for PFAS at solar and wind development sites.

PFAS contamination is a serious issue that has had significant impacts in Maine. PFAS is a category of chemicals that are used in a wide variety of products, and because of their chemical characteristics, they do not break down in the environment. Notable instances of PFAS contamination and pollution have come from landfill leachate, sludge used as fertilizer for farmland, and firefighting foam.

Maine has been at the forefront of addressing PFAS contamination and has passed several pieces of legislation in this area in recent years. Unfortunately, this bill is not in dialogue with many of those efforts.

Maine's PFAS law, LD 1503, passed in 2021, bans the use of PFAS outright in several consumer product categories and states that no products can be sold in Maine by 2032 if they contain PFAS. Solar panels or wind turbines are not exempt.

In 2023, the Legislature passed LD 1591, which initiated a program to procure solar energy from PFAS-contaminated land. As NRCM testified at the time,[1] promoting the re-use of contaminated land to generate low-cost renewable energy, while providing an economic lifeline to Maine farmers was and is a clear win-win.

It is incredibly important to attend to potential environmental risks from new technologies, but we should also be aware of being misled. There is, regrettably, a concerted effort to portray renewable energy technologies as toxic or dangerous. This is misleading in two ways.

First, in this case, there is not existing evidence that wind and solar projects are associated with PFAS contamination. PFAS compounds are not commonly used in solar panels, because safer, effective alternatives already exist,[2] and there isn't evidence of leaching connected to solar panel installations. Wind turbine blades also do not use PFAS.[3] Some projects include post-manufacturing add-ons to the blades (measuring six by eight inches) to improve aerodynamic performance which do apparently contain some teflon, a PFAS-containing substance,[4] however, there is nothing suggesting that this is entering the environment.

Secondly, this effort deliberately distracts from the clear, deafening, and overwhelming evidence of the massive environmental risks and damages associated with our existing fossil fuel based energy system that we are incurring today, including but not limited to oil spills, radioactive fracking waste water, mercury, soot, and other toxic air pollution, acid rain, coal ash, mountaintop removal mining, and of course, the dangerous and escalating climate change that is already impacting Maine.

PFAS is a crisis, and a long-lived one, which is why we should be working on testing and remediation of the highest risk and highest impact sources of PFAS and are doing so in many cases.[5]

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[1] NRCM. *Testimony in Support of LD 1591, An Act to Promote Economic Reuse of Contaminated Land Through Clean Energy Development.* April 20, 2023. https://www.nrcm.org/testimony/ld-1591-promote-reuse-contaminated-land-clean-energy/

[2] University of Michigan Graham Sustainability Institute; Michigan Department of Environment, Great Lakes, and Energy. *Facts about solar panels: PFAS contamination*. October 2020. https://drive.google.com/file/d/1Q_3-CTSHsvGvk7Rq6HT3HxCZMqZepIJ1/view

[3] Vestas. *Vestas Prohibited and Restricted Substance Management; Section 6, Prohibited Substance List.* February 1, 2022. https://www.vestas.com/content/dam/vestas-com/global/en/sustainability/environment/0126-0215_V02%20-%20Vestas%20Prohibited%20and%20Restricted%20Substance%20Management.pdf.coredownload.inline.pdf

[4] Arcadis US. *Vineyard Wind Blade Event – Initial Environmental Analysis.* July 23, 2024. https://nantucket-ma.gov/DocumentCenter/View/48366/Vineyard-Wind-CSM---7-23-2024-FINAL-for-Distribution-PDF

[5] Maine Department of Environmental Protection. *PFAS and Maine DEP*. Accessed March 5, 2025 https://www.maine.gov/dep/spills/topics/pfas/maine-pfas.html

Climate change is a crisis, and a long-lived one as well, which is why we need to act quickly to build new sources of local clean energy and rapidly reduce emissions – and other risks – associated with the extraction, transportation, and burning of fossil fuels.

These two issues are serious and deserve better than to be pitted against each other.

We urge the Committee to vote Ought Not to Pass on LD 451.

Thank you.