

SENATOR SARAH ELFRETH  
*Legislative District 30*  
Anne Arundel County

Budget and Taxation Committee

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Chair, Pensions

*Senate Chair*

Joint Committee on Administrative,  
Executive, and Legislative Review

Joint Committee on the Chesapeake and  
Atlantic Coastal Bays Critical Area



James Senate Office Building  
11 Bladen Street, Room 103  
Annapolis, Maryland 21401  
410-841-3578 · 301-858-3578  
800-492-7122 Ext. 3578  
Fax 410-841-3156 · 301-858-3156  
Sarah.Elfreth@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 2, 2022

**Testimony in Favor of SB 0273**  
**Environment - PFAS Chemicals - Prohibitions and Requirements (George “Walter” Taylor Act)**

Chairman Pinsky, Vice-Chair Kagan, and members of the Education, Health, and Environmental Affairs Committee,

I respectfully request a favorable report of Senate Bill 0273 - a bill to ensure that Maryland, like other leading States, takes the necessary actions to protect Marylanders and our environment from exposure to toxic PFAs chemicals. This legislation will focus on three mechanisms that pose the highest risk of exposure for Marylanders to these chemicals: firefighting foam, carpets, and food packaging.

Perfluoroalkyl and Polyfluoroalkyl chemicals (PFAs) are a class of highly fluorinated industrial chemicals that have been linked to serious illnesses including: testicular, kidney, liver and pancreatic cancer; reproductive problems; elevated cholesterol; thyroid dysfunction; and, low birth weights as well as weakened immunity amongst children<sup>1</sup>. The Maryland Department of the Environment (MDE) measured quantifiable amounts of PFAs in 75% of drinking water tested in 2021<sup>2</sup>. Furthermore, these chemicals remain in our bodies for years and rarely break down in the environment - which is why PFAs are often referred to as “forever chemicals.”

In response to this nationwide crisis, many states are taking action to protect citizens from these “forever chemicals”. Several states have enacted lower limits on the acceptable amount of PFAS allowed in municipal drinking water than is currently required by the EPA. States such as Washington, New York, and Maine have banned PFAs foams and food packaging entirely. At least fifteen states have banned the use of fire-fighting foam that contains PFAs. California is the first state to require utilities to test tap water for PFA. Within the past year, Maine has passed comprehensive bipartisan legislation that will ban all PFAs-laden products and chemicals in the state by 2030. The Federal Government has also begun the process of addressing this problem by administering a phase out of PFAs at airports and military bases. Most recently, the implementation of the FY21 National Defense Authorization Act made major strides in protecting the environment around military installations.

<sup>1</sup> The Environmental Working Group (<https://www.ewg.org/pfaschemicals/>)

<sup>2</sup> The Maryland Department of the Environment (MDE)  
([https://mde.maryland.gov/PublicHealth/Documents/PFAS%20Public%20Water%20System%20Study\\_Phase1Report.pdf](https://mde.maryland.gov/PublicHealth/Documents/PFAS%20Public%20Water%20System%20Study_Phase1Report.pdf))

**Regarding firefighting foam:** this legislation will prohibit PFAs-based foam after January 2023, and require stringent oversight for instances where the use of this foam is required under federal law. This Committee is no stranger to this specific issue, as illustrated with the passage of Senate Bill 420 in the 2020 legislative session to begin the process of ensuring that firefighting foam containing PFAs chemicals was not used for training purposes. The bill will also ensure that this harmful foam is not disposed of in a landfill or through incineration, thus further ensuring the protection of our environment.

**Regarding rugs and carpets:** this legislation will prohibit the sale or manufacturing of rugs that contain PFAS chemicals. The 2018 California Environmental Protection Agency (EPA) report summarizes the prevalence of PFAs in carpets, stating that: “carpets and rugs [are] sources of significant and widespread human and ecological PFAs exposures. Carpets and rugs constitute nearly half of all floor coverings in U.S. homes and workplaces. A large percentage of the PFASs produced worldwide are used to treat carpets, rugs, and other home textiles to confer stain-, soil-, oil- or water-resistance.”<sup>3</sup>

**Regarding food packaging:** this legislation will prohibit the sale or manufacturing of food packaging that contain intentionally added PFA chemicals after January, 2023. The use of PFAs in food packaging is wide-spread; for instance, one could find PFAs on the inside of canned goods, within microwave popcorn bags, and - in many instances - fast food packaging.

The market is reacting positively to the progress other states have achieved and many retailers have taken action to protect consumers from exposure to PFAs, including:

- Giant, Whole Foods, Trader Joe’s, Food Lion, Stop and Shop, Amazon, and Hannafords have all committed to eliminating PFAS from their packaging.
- McDonald’s, Chipotle, Taco Bell, Panera, Cava, and Sweetgreen have all made commitments to phase out PFAS food packaging.
- Home Depot and Lowes have announced their commitment to end sales of carpeting treated with PFAS and Staples has announced a policy to eliminate PFAs from stores.

Lastly, this legislation also includes uncodified language to require the Maryland Department of the Environment (MDE) to report on the work they are doing on this important issue as it relates to testing and remediation, as well as requiring MDE and MDH to develop an action plan to ensure that there is a plan moving forward to minimize exposure.

In the past, this Committee has heard testimony regarding the limitation and needed regulation of PFAS chemicals throughout Maryland communities. Once again, I respectfully request a favorable report of Senate Bill 0273 to ensure that Marylanders and our environment are protected from exposure to toxic, “forever” PFAs chemicals.

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<sup>3</sup> Department of Toxic Substances Control (DTSC) <https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/10/Product-Chemical-Profile-PFAS-Carpets-and-Rugs.pdf>