

June 10, 2019



The Honorable Dan Kildee
Congressional PFAS Task Force
U.S. House of Representatives
203 Cannon House Office Building
Washington, DC 20515

The Honorable Brian Fitzpatrick
Congressional PFAS Task Force
U.S. House of Representatives
203 Cannon House Office Building
Washington, DC 20515



RE: Federal Action on PFAS

Dear Congressman Kildee and Congressman Fitzpatrick:

The Northeast Committee on the Environment (NECOE) brings together environmental commissioners from all six New England states - Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont - and New York in order to work together and find solutions to environmental challenges facing our region.



As you know, per- and polyfluoroalkyl substances (PFAS) are a group of compounds resistant to heat, water, and oil. For decades, they have been used in hundreds of industrial applications and consumer products such as carpeting, apparel, upholstery, food paper wrappings, fire-fighting foams and metal plating. The Northeast has been at the forefront of this issue due to early detections of PFAS contamination in Vermont, New York, and New Hampshire. As the lead representatives for the Congressional PFAS Task Force (Task Force), we are writing to support your work and require immediate federal action on five specific matters.



First, EPA should establish a national maximum contaminant level (MCL) that fully protects the public health from PFAS exposure in drinking water as soon as possible. In the absence of federal leadership, many states are moving ahead with establishing their own drinking water standards and guidance. As noted at the May 15, 2019 hearing of the House Subcommittee on the Environment and Climate Change, a large number of PFAS-related bills have been introduced in the House. All of them have worthy goals, and collectively they represent a significant start to Congressional efforts to deal with these serious contaminants.



Second, given that PFAS constitute a class of compounds with common characteristics, we believe they should be regulated accordingly. Developing and implementing individualized approaches to the regulation of each of the thousands of PFAS chemical formulations is impracticable, unnecessary and inconsistent with the need for swift action. We ask that the Task Force support and recommend a class-based approach to PFAS regulation at the federal level.



Third, the demands on our states to test various environmental media for PFAS contamination, and to remediate contaminated sites, are increasing dramatically. We request a corresponding increase in access to federal funds to perform this work. Toward that end, we ask that the Task Force require the EPA



to amend its regulations to treat PFAS compounds as hazardous substance under CERCLA, make available low-cost supplemental loans for regional cleanup efforts using a model similar to the Water Infrastructure and Innovation Act, and fully fund the important research necessary to ensure that EPA and the States can appropriately manage risks associated with PFAS and other emerging contaminants.

Fourth, complicating these demands on states is the need for uniform federal laboratory methods for PFAS analysis in surface water, groundwater, soil, sediment and air, which are important to consistently and accurately quantify the impacts of PFAS on human health and the environment. There exists, moreover, a similar need for PFAS treatment technologies for soil and air, especially at facilities that continue to manufacture PFAS-containing products. We ask that the Task Force urge EPA to expedite the development and dissemination of analytical methods and treatment technologies that extend beyond drinking water.

Finally, but importantly, we strongly urge more aggressive and responsible federal regulation of the use of PFAS compounds and other emerging contaminants throughout our economy. We ask that the Task Force support and recommend that EPA address source control and minimize or eliminate outright the use of PFAS compounds in commercial and industrial applications.

Thank you for your work on these important issues and for your consideration of our requests.

Sincerely,



Katie Dykes
Commissioner
Connecticut Department of Energy and
Environmental Protection



Jerry Reid
Commissioner
Maine Department of Environmental Protection



Martin Suuberg
Commissioner
Massachusetts Department of Environmental
Protection



Robert Scott
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New Hampshire Department of Environmental
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Janet Coit
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Julie Moore
Secretary
Vermont Agency of Natural Resources