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Delaware Riverkeeper Network Statement NJDEP Adoption of PFOA PFOS Drinking Water and Cleanup Regulations

Trenton, NJ - People have a right to safe water and to live free of exposure to harmful chemicals. PFOA (Perfluorooctanoic acid) and PFOS (Perfluorooctanesulfonic acid) are two of the most dangerous substances facing us today. The adoption of drinking water standards for PFOA and PFOS by NJ Department of Environmental Protection is absolutely essential to avoid exposure that increases the risk of people developing diseases linked to these highly toxic compounds. Data shows that New Jersey has higher levels of PFAS contamination than other states due to the many sources of contamination, both legacy and ongoing, and that PFOA and PFOS are the two perfluorinated compounds most commonly found. It is very difficult for people to avoid exposure here due to the ubiquitous nature of PFOA and PFOS and the fact we are the most densely populated state in the nation, with so many people living close to sources of the pollution. All Americans have some amount of PFAS in our blood; it's in ground and surface water and is even found in fish and sediment in most places in the state.

With this final adoption the compounds will have to be removed from drinking water supplies and from groundwater. The cleanup from groundwater will remove the source of pollution, a requirement necessary because these "forever chemicals" persist and also move around in the environment, exposing people through various media. These compounds never break down and never go away on their own, so unless effective action is taken to remove them, they will forever plague us and our environment. The rulemaking also adds PFOA and PFOS to the list of hazardous substances under the Spill Compensation and Control Act, which will require polluters to pay for the cleanup through special funds available to communities, which is only fair.

In the end, it took almost 20 years for PFOA and PFOS to be regulated and New Jersey is one of the few states that has enacted mandatory, enforceable drinking water and cleanup

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standards. The public clamored for this protection, municipalities took extraordinary measures to fight for it, and dedicated work by the state's nationally recognized scientists made it happen. On the other hand, the federal government is still idling around PFAS with no regulation to force its removal from drinking water. As a result of federal dawdling, the public health issues facing the nation are even more pressing now as we face the COVID 19 pandemic, considering that those with compromised health are more susceptible to the coronavirus. It is unjust and oppressive that there are no federal safe drinking water or clean up standards that protect everyone equally.

Delaware Riverkeeper Network (DRN) advocated for stricter maximum contaminant levels (MCLs) than those adopted. DRN submitted toxicological reports prepared by Cambridge Environmental that showed a standard of one parts per trillion (ppt) and no greater than 6 ppt for PFOA and no more than 5 ppt for PFOS was more protective of the most vulnerable populations - infants and children. However, the 13 ppt for PFOS and 14 ppt for PFOA that has been adopted by DEP is amongst the strictest in the nation and provides far greater protection than the unprotective 70 ppt for PFOA/PFOS that US EPA has set as a Health Advisory Level.

New Jersey has now adopted safe drinking water standards for three PFAS compounds that plague our state - PFOA, PFOS, and PFNA. In the absence of federal standards, every state should be adopting their own standards to protect people by reducing their exposure to these highly toxic compounds that are correlated to serious disease and health effects, including devastating cancer, debilitating health conditions and developmental impacts which can result in lifelong harm to the fetus and young children.

The implementation of the new MCLs will take place in phases, with the sampling of public water systems starting in the first quarter of 2021. However, a speedier implementation can be accomplished because water purveyors are already accustomed to sampling protocols for PFAS and many have been reporting the sampling results for PFOA and PFOS to NJDEP along with the PFNA results since PFNA sampling began in January 2019. We encourage all water systems to go ahead and proactively sample for PFOA/PFOS so that they can install treatment systems if needed and provide crucial protection to the public sooner rather than later.

The adoption of these regulations have been a long time coming and there have been many bumps in the road along the way to this success, but people persisted in pursuing a goal of removing these toxic compounds from the water we drink and New Jerseyans are better protected for it.

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