



Verbal Testimony
Tracy Carluccio, Deputy Director
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U.S. Environmental Protection Agency “Listening Session”
Re. PFAS (Per- and Polyfluoroalkyl Substances - PFAS)

Delaware Riverkeeper appreciates the opportunity to comment on the PFAS water crisis in the region. While it is encouraging to hear what EPA is doing and planning to do, we frankly have heard agency promises before. It must be said that EPA has been culpable in the ongoing disaster unfolding here and across the nation.

EPA knew, and stated that it knew, PFCs were toxic many years ago when its Science Advisory Board labeled PFOA a “likely carcinogen” and when West Virginia’s concerns surfaced in the late 1990’s revealing broader public health concerns related to drinking water. Attorney Rob Bilott, starting in 2001 worked continually through to today to inform EPA with hard evidence and despite the C-8 Panel’s verification of human health effects around DuPont’s Washington Works plant, EPA still did not regulate. In fact in 2012 EPA said it would take them until 2022 to 2025 to set a safe drinking water standard based on lifetime exposure. I didn’t even hear a date today. Stunning that EPA could move at such a snail’s pace while these toxic compounds were escaping into the environment without control and people were getting sick.

Even when EPA added six PFCs to its Unregulated Contaminant Monitoring Rule 3, and verified its widespread occurrence, it didn’t use the rule as it was intended – to set mandatory regulation. They simply issued a weak and unprotective advisory level.

But the Monitoring Rule is how most communities, including here, found out they had PFCs in their water supplies, which began a national firestorm. Certainly no one else was openly discussing the contamination even though they knew. The Department to Defense knew at least fifteen years ago but they continued to use toxic firefighting foam. Now they have to investigate

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400 to 660 military sites and have already found 90 that have groundwater contaminated with PFAS. A disgraceful legacy.

In the absence of EPA regulation, Pennsylvania must act. It's as simple as that.

This is why Delaware Riverkeeper Network submitted a Petition in May, 2017 requesting that Pennsylvania's Environmental Quality Board (EQB) and PADEP set a statewide maximum contaminant level (MCL) for PFOA of 1 ppt or no higher than 6 ppt. And last month we advised the EQB that New Jersey had, after extensive research and analysis, recommended a MCL for PFOS of 13ppt, reinforced by ATSDR's "minimum risk levels". These are much lower than EPA's current health advisory level of 70 ppt (individually or combined). We asked Pennsylvania to adopt protective safe drinking water standards for both.

DRN recommends a MCL of a maximum 5ppt or "non-detect" for PFOS based on protecting our most vulnerable populations – the fetus, infants, and young children. Each day that passes in which another person is exposed to detrimental harm through PFAS and that Pennsylvania fails to properly and prudently regulate these known hazardous chemicals is an abrogation of the State's duty and responsibility.

Delaware Riverkeeper Network calls on EPA and PADEP to take action to set mandatory safe drinking water standards to protect the public from PFAS and to require the cleanup of the pollution by those responsible for its release, at their expense, to remove the pollution at its source. New Jersey and other scientists have done the science, the occurrence data in Pennsylvania is in, and we need standards yesterday. Clean water is our constitutional right, according to Article 1 Section 27 of the Pennsylvania Constitution, look it up.

Thank you for the opportunity to comment today.