

Testimony of the Honorable Brian Fitzpatrick
Subcommittee on Environment
U.S. House of Representatives
March 6, 2019

My name is Brian Fitzpatrick and I am the Congressional Representative for Pennsylvania's First District and Co-chair of the Congressional PFAS Task Force. Ever since I was elected to office in 2016, I have worked tirelessly to address the contamination of our drinking water by toxic PFAS chemicals because I believe that these chemicals represent one of the most widespread public health crises we, as a nation, currently face.

I would like to thank the Committee for holding this hearing and exploring actions which can be taken to protect our nation's drinking water supply from toxic chemicals. I also want to thank the Committee for inviting me here today to learn about the negative affects PFAS chemicals have had on the people in the district I represent.

Nationally, 1.3 percent of our drinking water contains more than the EPA's current Lifetime Health Advisory level of 70 parts per trillion combined PFOA and PFOS. However, a toxicological profile of these chemicals released by the Agency for Toxic Substances and Disease Registry suggests that they are harmful at levels up to 10 times lower than this Lifetime Health Advisory, which would mean that tens of millions more Americans than we previously thought are drinking water with harmful levels of these chemicals.

In 2017, I introduced legislation that was passed into law as an amendment to the National Defense Authorization Act which required the Department of Defense to carry out a nation-wide, five year human health effects study on these chemicals. While that study remains underway, there currently exists a broad enough body of research to justify regulating these chemicals as hazardous substances.

From exposure data collected internally by the major PFAS manufacturers, 3M and DowDupont, to the massive, eight year study involving over 30,000 participants in the Ohio River Valley, human exposure to PFAS has been linked to the following: negative effects on a developing baby in its mother's womb and children, including possible changes in growth, learning, and behavior; decreased fertility and interference with the body's natural hormones; increased cholesterol levels; ulcerative colitis; thyroid disease; testicular cancer; kidney cancer; and pregnancy-induced hypertension. There is more than enough research to know that we do not want these chemicals in our drinking water.

Some of the highest concentrations of PFAS in drinking water have been found in the district I represent. This water contamination is primarily associated with the decades-long use of Aqueous Film Forming Foam – or AFFF- on and around military bases in my district. AFFF is a firefighting foam designed to suppress certain classes of fires. Unfortunately, the chemicals that make AFFF so effective at extinguishing fires, are also toxic PFAS chemicals that are extremely persistent in both the environment and within our bodies.

A perfect example of how my constituents are impacted by this issue is in West Rockhill Township. In 1986, a team of firefighters from the former Naval Air Station Willow Grove and Naval Air Development Center Warminster used AFFF-spraying trucks to assist in fighting a massive tire fire. The tire fire burned for 21 hours before it was finally brought under control; however, over 30 years later, the water supply for many households in West Rockhill Township tests at some of the highest levels of PFOA and PFOS in the country. The Pennsylvania Department of Environmental Protection first started sending notices to affected households in 2016. That means for 30 years my constituents were drinking water and bathing their children in

water poisoned by these chemicals with no idea of the harm they were being exposed to, through no fault of their own.

Regulating PFAS effectively and responsibly will not be easy. It is essential that we implement the regulatory steps necessary to eliminate any health risk associated with these chemicals in our drinking water. That is the priority. However, there is a very real risk associated with over-regulating these chemicals. Setting a Maximum Contaminant Level (MCL) through the Safe Drinking Water Act lower than is necessary to ensure the safety of our drinking water would expose thousands of municipal water authorities to cost-prohibitive compliance requirements that would yield no benefit to the communities they service. These compliance costs, which could total tens of billions of dollars, would be covered by loans that would ultimately end up getting paid off through increased rates charged to the customers, many of whom were never exposed to any health risks from PFAS.

It is my firm belief that the framework we have in place to regulate these chemicals can work, and it is my constitutional duty as a Congressman to commit to the oversight necessary to ensure that it does. That is the primary intent of the Congressional PFAS Task Force, which I organized with my colleague from Michigan, Congressman Dan Kildee. The EPA needs to designate PFOA and PFOS as hazardous substances under the Superfund Act, and establish a MCL under the Safe Drinking Water Act. With these two regulatory actions, our constituents will be given the protection they need after so many years of inaction.

Thank you all for being here today. I look forward to working with you to find solutions for the people we represent and answering any of your questions.