

September 6, 2018

The Honorable John Shimkus, Chairman
The Honorable Paul Tonko, Ranking Member
Energy and Commerce Committee, Subcommittee on Environment
U.S. House of Representatives

Dear Chairman Shimkus and Ranking Member Tonko,

Thank you for holding this important hearing. We are writing to you on behalf of the millions of people across the United States facing drinking water contamination due to the use of PFAS chemicals in our products, in firefighting foam and in manufacturing processes around the country.

PFAS is a family of more than four thousand chemicals that are used as grease proof and water proofing agents. They are used in class B firefighting foam, food packaging, clothing, building materials and manufacturing processes. While the most notorious PFAS, PFOA and PFOS, have been phased out of manufacturing in this country, their legacy of contamination lives on.

But PFAS aren't merely a problem of the past. Communities face ongoing pollution from the next generation of PFAS that have been introduced as replacements for PFOA and PFOS, trading one problem for another and creating a whack-a-mole approach to regulation.

We are encouraged that this committee is investigating this issue. States have been on the forefront of confronting this issue for many years. Several states have taken action in the past three years to address PFAS including setting their own reference levels, suing manufacturers and banning products containing these chemicals.

While we agree that drinking water standards are necessary, the process for setting these standards is complex and takes many years to complete. In the meantime, there are specific actions that Congress, the Administration and states can take to protect public health and prevent ongoing contamination of drinking water. Specifically:

1. **Phase out the use of fluorinated firefighting foams and identify safer alternatives.** Fluorinated (PFAS) firefighting foams have been widely adopted by airports, ferry systems, transportation departments, oil refineries, railroads, chemical plants, as well as by local fire departments and fire training facilities for decades. The PFAS-containing foams used at military bases and other locations is responsible for contaminating drinking water and creating many contaminated sites across the country at great cost to states and federal taxpayers. The Department of Defense has estimated it will cost more than \$2 billion to address PFAS contamination. Washington state just adopted a ban on the sale of PFAS foams to fire departments and to other users where it is not required by federal law or specifically exempted. There is also a ban on training with PFAS foams at any facility in the state, including airports. As long as PFAS chemicals continue to be used in firefighting foams, further contamination of drinking water, exposure to firefighters and environmental contamination is inevitable. Congress should phase out PFAS chemicals in firefighting foam and require safer effective alternatives that protect life, property and fire fighters.

2. **Stop further contamination by banning PFAS.** States are already stepping up to eliminate PFAS from key product sectors including food packaging, firefighting foam and textiles. Congress should phase out the use of these chemicals to avoid further contamination.
3. **Information on where and how PFAS are used in the United States.** States and communities across the country need more information about where and how all PFAS are used to better understand the sources of the contamination. EPA should fully collect and make use data available to the public for all PFAS both in all products and manufacturing processes.
4. **EPA should provide states with analytical methods for identifying all PFAS in water and soil.** States rely on the EPA for scientific expertise and need the agency's guidance as they move forward with state drinking water standards and other health protections. Current testing methods can identify only a handful of these chemicals in the environment, but the more states look for these chemicals, the more they find. States need the EPA to quickly develop analytical methods for all PFAS in water and soil so that states can better understand the scope of the problem and find solutions to mitigate this crisis.
5. **EPA should provide states with technical assistance on how to clean up PFAS in water and soil.** While current technology will remove some of these chemicals from water, huge gaps exist in technology to remove many PFASs from environmental media. EPA must provide assistance to states on how to clean up these chemicals.
6. **Congress, EPA, FDA, other federal agencies should ensure that:** polluters pay for cleanup; DOD is held accountable; citizens have the ability to take action against PFAS polluters; water and food is comprehensively tested for PFAS; PFAS are listed for regulation under the Clean Water Act, Superfund, the Toxic Release Inventory, and the Resource Conservation and Recovery Act; new uses and new PFAS are banned; PFAS are not allowed as food additives or in food packaging; and funds are provided for water treatment.

Pollution of drinking water impacts everyone in a community. We need solutions now to protect this precious resource and ensure clean and safe drinking water for all. We need Congress's help to make sure our states can adequately address PFAS pollution and prevent future contamination.

Sincerely,

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