



May 14, 2019

The Honorable Paul Tonko
Chairman, Subcommittee on Environment and Climate Change
U.S. House of Representatives
Washington, DC 20515

The Honorable John Shimkus
Ranking Member, Subcommittee on Environment and Climate Change
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Tonko and Ranking Member Shimkus:

On behalf of the members of the American Chemistry Council, I am writing to provide input to the May 15th subcommittee hearing entitled, "Protecting Americans at risk of PFAS contamination and exposure." We request this letter be made part of the formal hearing record.

The American Chemistry Council (ACC) represents a diverse set of companies engaged in the business of chemistry. An innovative, \$526 billion enterprise, our groundbreaking products are improving the world all around us by making it healthier, safer, more sustainable and more productive. The business of chemistry creates the building blocks for 96 percent of all manufactured goods. From life-saving medical devices to air bags and solar cells, from child safety seats to clean drinking water, chemistry is at the heart of our economy.

The chemical industry supports a comprehensive approach to managing per- and polyfluoroalkyl substances (PFAS), including specific measures to prioritize, evaluate, regulate, innovate, advance best practices, and monitor PFAS. A comprehensive approach is needed to coordinate overall efforts and to focus resources on addressing immediate issues and areas of potential public concern.

It is important to recognize that most of the attention to date on PFAS has focused on a handful of substances that are no longer produced in the U.S., Europe or Japan. Additionally, significant regulations (including the Lautenberg Chemical Safety Act) are already in place for new and existing chemicals and specific actions have already been taken to help manage PFAS. These should be factored into any additional efforts to assess and regulate this broad class of chemistry. This includes EPA's recently announced PFAS Action Plan, which ACC supports, as well as other actions initiated by various federal agencies, states and the private sector.

Today's PFAS are essential to modern life and an important enabling technology. The strong fluorine-carbon bond allow PFAS to provide products with strength, durability, stability, and resilience. These properties are critical to the reliable and safe function of a broad range of products that are important for industry and consumers. PFAS play a vital role in everything from designing automobiles with lower emissions and improved safety, reliability and fuel-efficiency to manufacturing semiconductors, solar panels and high performance electronics. Multiple other industries depend on high-performance PFAS



including aerospace, alternative energy (solar), healthcare, building and construction, electronics, chemicals and pharmaceuticals, oil and gas, and outdoor apparel and equipment, just to name a few.

It is important to emphasize that PFAS are a diverse family of chemistry that includes a broad range of substances with different physical, chemical, and toxicological properties and uses. Hence, the hazard and risk profile of various PFAS are very different. It is neither scientifically-accurate nor appropriate to group all PFAS together or take a one-size fits all regulatory approach for this wide range of substances. One-size-fits-all regulation of chemicals as a class is an approach that has been disfavored –if not outright rejected – repeatedly by U.S. agencies and other international regulatory bodies over the years. Consequences can range from deterring innovation to discouraging effective product design. It can also go as far as completely eliminating an entire chemistry that is an enabling technology for a broad array of essential products. Our industry supports examining alternatives to a one-size-fits-all class scheme for substances using a more deliberate approach that acknowledges the differences within the chemical family.

The scientific and safety data on specific PFAS substances should guide public policy. Effective chemical regulation, regardless of the substance, includes consideration of a substance's hazard characteristics, its use and actual levels of exposure to assess the potential risk of a particular chemical and determine the most appropriate risk management measures. These fundamental principles have unfortunately been lost in the current debate about PFAS chemistry.

Taking an overly-broad and non-scientific approach to PFAS will make it difficult to implement effective regulatory policies. It will also impact an extensive swath of the economy, including a broad range of industries and businesses, as well as and public entities like airports, hospitals, drinking water facilities, towns and municipalities. For these reasons, different PFAS require different regulatory approaches.

The federal government should implement a consistent, comprehensive approach for assessing and regulating specific PFAS utilizing existing regulatory frameworks with clear timelines. There is a robust regulatory system and established policies in place for managing chemicals in the U.S., including PFAS. The government should utilize these frameworks to ensure consistent, science-based regulatory approaches that also ensure transparency, broad stakeholder input and enforceable regulations. Clear timelines should be established to ensure policy decisions and regulatory outcomes are completed and implemented in a timely fashion. Bypassing or ignoring established regulatory authorities and procedures would also prevent policymakers from focusing resources on immediate issues and areas of potential public concern.

We urge Congress to consider these points as it deliberates policies and any potential legislation related to PFAS chemistry.

Sincerely,



Robert J. Simon
Vice President
Chemical Products & Technology

