

September 26, 2018

The Honorable Rand Paul
Chairman
Senate Committee on Homeland Security and Governmental Affairs,
Subcommittee on Federal Spending Oversight and Emergency Management
439 Hart Senate Office Building Washington, DC 20510-6250

The Honorable Gary Peters
Ranking Member
Senate Committee on Homeland Security and Governmental Affairs,
Subcommittee on Federal Spending Oversight and Emergency Management
439 Hart Senate Office Building
Washington, DC 20510-6250

Dear Chairman Paul and Ranking Member Peters,

Thank you for holding this important hearing. We are writing on behalf of the millions of people across the United States impacted by PFAS in their drinking water, in their homes and in their communities. Commonly used in firefighting foam, food packaging, textiles and manufacturing processes, PFAS contamination constitutes a public health emergency that must be remedied quickly.

PFAS is a family of approximately five thousand chemicals that are used as greaseproof and water proofing agents. They are used in class B firefighting foam, food packaging, clothing, building materials and manufacturing processes. They are incredibly persistent and do not break down, prompting scientists to call them “virtually indestructible.” They can stay in our bodies for up to 8 years or more, and have been linked to health effects such as cancer, hormone disruption and immune suppression. Even newborn babies have been found to have PFAS in their bodies, exposed before birth.

While chemical makers were forced to stop making two older generation PFAS -PFOA and PFOS-, thousands of PFAS remain in use. This means that even as we address legacy contamination, communities face ongoing pollution from the next generation of PFAS, trading one problem for another and creating a whack-a-mole approach to regulation.

We are encouraged that the committee is investigating this issue. States have been at 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 preventing future contamination by banning products containing these chemicals.

In addition to cleaning up contamination around military bases and in communities, there are several specific actions that Congress, the Administration, and states can and should take to protect public health and prevent ongoing contamination of drinking water. Specifically:

1. **Phase out the use of fluorinated firefighting foams in favor of safer alternatives.** Fluorinated (PFAS) firefighting foams have been widely used 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 are largely 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 at military bases alone.

2. **Preventing future contamination by reducing sources of these chemicals must be a priority to protect public health and avoid skyrocketing costs of cleanup.** Washington State recently banned the sale of PFAS foams to fire departments and other users, as well as banning the use of PFAS foams in fire training, including at airports. Congress should phase out PFAS chemicals in firefighting foam, mandate the proper disposal of remaining stocks by the manufacturers, and require safer effective alternatives that protect life, property and fire fighters. In addition, the Department of Defense must change its military specification requiring the use of fluorine-based firefighting foams. Effective firefighting capability can be achieved without the use of PFAS, yet the current military specification requiring PFAS limits the options available to the military and only exacerbates contamination of drinking water. An updated specification is sorely needed.
3. **Require Polluters to Pay for Clean Up.** It will cost billions to clean up PFAS pollution. Taxpayers should not be forced to cover these costs. Communities facing PFAS contamination should not bear the added burden of paying to clean up pollution they did not create. Manufacturers must be held accountable. Congress should establish a program that requires PFAS manufacturers to pay for cleaning up contaminated sites. In addition, citizens must have the ability to take action against PFAS polluters.
4. **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 all uses of these chemicals to avoid further contamination and additional clean up costs.
5. **Ensure states, local governments and the public have adequate information and technical assistance to fully address the PFAS crisis.** Congress should require food and drinking water to be fully tested for PFAS. Congress should further require that PFAS are added to the Toxic Release Inventory list in the Emergency Planning and Community Right-to-Know Act and regulated as: toxic pollutants and hazardous substances under the Clean Water Act; hazardous substances under Superfund, and hazardous waste under the Resource Conservation and Recovery Act. Doing so would ensure that federal, state and local agencies can identify and prioritize areas in need of remediation. Finally, Congress should also provide funding to EPA to develop and provide technical assistance and testing methods needed to sufficiently address the problem

Decades of widespread use of PFAS means that these chemicals are everywhere. PFAS contamination impacts everyone in a community. We need solutions now to ensure clean and safe drinking water for all.

Sincerely,

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