



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

September 20, 2018

The Honorable Lou Barletta
United States House of Representatives
2049 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Barletta:

Per- and Polyfluoroalkyl Substances (PFAS) continue to be a growing concern among Pennsylvania citizens, drinking water suppliers, and regulators. PFAS are man-made chemicals that have been manufactured and used in a multitude of industries since the 1940s. The solubility, mobility, and bio-accumulative properties of PFAS continue to heighten concerns about potential adverse health effects. States, water systems, and the public need national leadership now to respond to this growing public health concern. While my administration is taking action to address these and other emerging contaminants, I write to ask for your assistance in moving forward with the federal response.

Failure to address PFAS nationally using a holistic approach will continue to put public health at risk and lead to a patchwork of inconsistent state laws and regulations. Pennsylvania's Department of Environmental Protection is currently conducting site investigations, interim response actions, and oversight activities at 11 sites contaminated with PFAS. Several of the sites in Pennsylvania are impacting public water systems and all are impacting ground water and/or private wells. The impacted public water systems are taking appropriate action, including issuing public notice, and taking the contaminated sources offline while treatment is being installed. Many of the sites are near Superfund sites where EPA and the responsible party have taken the lead. Two of the sites are state-led. However, the adequacy of federal and state action is being called into question by the public due to differing risk calculations from EPA, the Agency for Toxic Substances and Disease Registry (ATSDR) and other states.

In 2016, the EPA established lifetime health advisories (HAs) for two of the most common PFAS, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) at 70 parts per trillion (ppt) as well as a combined HA of 70 ppt for the sum of PFOA and PFOS. However, HAs are not the same as Maximum Contaminant Levels (MCLs); they are not a regulatory limit and are not enforceable as such. To add to the confusion, the Agency for Toxic Substances and Disease Registry (ATSDR) has released a draft toxicological profile that evaluates risk factors for PFOA and PFOS across all media while EPA's advisories are specific to drinking water. The draft profile also proposes different toxicity values, which show different levels of concern compared to EPA's. Absent a clear federal direction and consistent health risk numbers, this uncertainty has increased public concern and driven some state drinking water programs to establish their own PFAS action levels or guidelines.

To ensure consistent coordination and engagement at the state level, I recently created a PFAS Action Team, comprised of leaders from the commonwealth's environmental, emergency response, economic development, agriculture, transportation, and health agencies, to identify impacted locations, and to develop and implement action plans to ensure that citizens of Pennsylvania have safe water to drink. But states cannot address this growing public health problem alone, and I ask for your assistance in three primary areas.

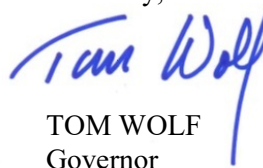
First, I encourage you to support two bills that would help to aid some of the work already underway in dealing with these contaminants. The PFAS Accountability Act of 2018 (S. 3381) would provide states with assistance in testing, addressing, monitoring, and remediating contamination or suspected contamination of drinking water, groundwater, surface water, or land surface or subsurface strata from PFAS if it originated from a federal facility. The PFAS Detection Act of 2018 (S. 3382) would provide funding to the U.S. Geologic Survey for nationwide sampling and require the establishment of a performance standard for the detection of PFAS.

Second, it is essential that Congress provide additional funding to EPA to be allocated for states to address PFAS. At present, state primacy agencies are diverting resources from their core drinking water programs to address PFAS. Without additional funding, both the core safe drinking water program and the additional work to address PFAS will suffer.

Third, Congress should direct all appropriate federal agencies—including at a minimum EPA, the Department of Health and Human Services, the Food and Drug Administration, and the Department of Defense—to work in concert to develop a unified message for state regulators, water utilities, and the public regarding risks for PFAS. I've asked Acting Administrator Wheeler to expeditiously set a drinking water MCL for PFOA and PFOS.

I take the government's responsibility to protect residents very seriously. I urge you to do your part, as a member of Pennsylvania's Congressional delegation, to ensure the federal government is providing the resources and information necessary to take on this challenge. The people of Pennsylvania should be confident that the air they breathe and the water they drink is safe. It is of vital importance that the federal government address this issue by providing appropriate regulatory safety nets and funding to eliminate pathways of PFAS contamination throughout the nation.

Sincerely,



TOM WOLF
Governor