

# Toxic-Free Future

Thank you for considering our comments on Washington's Interim PFAS Chemical Action Plan.

We applaud the agency in leading the nation in developing this PFAS plan and for moving forward with actions to protect drinking water, public health, fish, wildlife and the environment from these harmful chemicals. As we have learned in the CAP process over the past few years, these compounds are highly mobile and persistent in the environment and the most cost-effective, protective approach is to first and foremost prevent them from entering the environment. We think the interim CAP does have a strong prevention-based approach, while at the same time addressing the drinking water and soil contamination in communities that is becoming of increasing concern across the nation.

More specifically, we:

1) Applaud the agency for treating PFAS as a class and recognizing newer generation PFAS as regrettable substitutes. The new laws adopted by the Legislature also made it clear that the chemicals should be addressed as a class. The CAP should include the PFAS definition adopted in both the firefighting foam and paper packaging laws, which is:

"Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

The CAP should be consistent throughout in its recommendations and address PFAS as a class. For example, the new firefighting foam law in Washington bans the sale of PFAS-containing foams. Ecology's recommendation to address stockpiles should address all PFAS-containing foams, not just PFOA/PFOS foams.

It is also clear from the new PFAS paper packaging law that the agency must identify safer alternatives that do not contain PFAS, as stated in the Executive Summary. This should be clarified in section 4.3 of the chemical action plan on alternatives assessments. As written, the section does not provide appropriate guidance on how the assessments should be conducted, and it should be rewritten to align with Recommended Action 4.

2) Strongly support the testing of drinking water and ensuring it is safe. It is critical that the Department of Health move forward with this work and identifying high risk areas to test makes a lot of sense. We remain concerned that current EPA drinking water methodology is limited to 14 PFAS chemicals and will not capture all of the PFAS chemicals currently in use that could wind up in the drinking water. We request that testing include: all the compounds the Department of Defense has analyzed in recent testing, which include 6:2 and 8:2 fluorotelomer sulfonate; perfluorobutanoic acid, or PFBA; all PFAS compounds identified in AFFF formulations or AFFF-impacted groundwater; and newer current-use compounds such as the perfluoroethers.

The costs of contamination and dealing with testing and addressing drinking water are significant. We support testing 24,000 samples from all Group A and Group B public water systems and to pursue private well testing as well. We are concerned that not including Group B and private wells could have a disproportionate impact on vulnerable communities. In addition, if the agency only tests where they expect to find drinking water contamination from firefighting foam, other sources of contamination that have been seen in other states could be missed.

Taxpayers and ratepayers should not have to pay for all of these costs given that chemical companies profited for decades from sale and use of these chemicals that now even contaminate newborn babies. The agency should include a recommendation to pursue policies that hold the manufacturers of the chemicals responsible. For example, chemical companies who made these chemicals and foams could be required to pay into a fund to pay for testing. In addition, the manufacturers of PFAS-containing firefighting foam should be taking it back and reimbursing fire departments and other users.

3) Urge the agency to include a clearer recommendation to phase out PFAS in textiles, cosmetics and other products where there are safer alternatives.

The interim CAP should state clearly that phasing out PFAS chemicals in products is a priority to prevent future contamination. While work on safer alternatives should be done on textiles, including carpet and clothing, as well as cosmetics, it is clear that these chemicals have no place in products that wind up in our homes, offices, or on our bodies. There is widespread support for this approach, including from the American Public Health Association and from over 200 scientists from around the world, which we would like included in the CAP.

"All PFASs share problematic properties with legacy long-chain PFOA and PFOS and could be considered "regrettable substitutions....State toxics reduction programs...should prioritize reduction of PFASs to catalyze movement to safer alternatives."

- American Public Health Association Policy on Reducing Human Exposure to Highly Fluorinated Chemicals to Protect Public Health, November 2016

"[W]e call on the international community to cooperate in limiting the production and use of PFASs and in developing safer nonfluorinated alternatives.... We therefore urge governments... to enact legislation to require only essential uses of PFASs."

- The Madrid Statement, signed in 2015 by over 200 leading scientists

4) Support efforts to keep PFAS firefighting foams out of the environment and to reduce exposure to firefighters immediately. The new PFAS firefighting foam law in Washington specifically bans the use of PFAS foams in training by July 2018 and does not provide any exemptions. Ecology should ensure this ban is enforced, particularly at military bases, airports and industrial facilities and provide best practices to users. We also request that the foam recommendation include supporting federal changes to the military specification to end the use of PFAS foams, particularly at airports.

Thank you for your consideration of these comments.