



February 5, 2024

Mr. Sean Smith
Hazardous Waste & Toxics Reduction
Northwest Regional Office
Washington State Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008-5452

Re: Aqueous film forming foam (AFFF) Collection and Disposal Program - Draft
Programmatic Environmental Impact Statement, Publication 23-04-064 (December
2023)

Dear Mr. Smith:

The American Chemistry Council (ACC) supports the Department's efforts to collect waste aqueous film forming foam (AFFF) and appreciates its analysis of alternative approaches to disposal of this material. ACC previously supported the Department's 2020 Determination of Non-Significance for its proposal to send the foam to the existing Clean Harbors Incineration Facility in Aragonite, Utah. As part of the draft Environmental Impact Statement (EIS), the Department has expanded its review to include solidification and landfill and Class 1 deep well injection as disposal options. ACC agrees with the Department's assessment that these two additional disposal options also do not present significant adverse effects on human health and safety or the environment.

Based on its assessment, we encourage the Department to consider all three of these alternatives (incineration, solidification/landfill, deep well injection) as safe and effective approaches to the disposal of waste AFFF. This conclusion is the same reached by the US Department of Defense (DOD) as part of guidance issued in July 2023.¹ In its guidance, DOD noted that hazardous waste incinerators, hazardous waste landfills, and solid waste landfills² are available options "that maximize reduction of PFAS releases or emissions to the environment and human health exposures."³

¹ DOD. Interim Guidance on Destruction or Disposal of Materials Containing Per- and Polyfluoroalkyl Substances in the United States. Memo from Brendan M. Owens, Assistant Secretary of Defense for Energy, Installations, and Environment (July 11, 2023). (Enclosed)

² Those including a composite liner and gas and leachate collection and management to control the migration of PFAS into the environment.

³ Although the DOD assessment concluded that deep well injection maximizes reduction of PFAS releases, it noted that the limited number of wells currently receiving PFAS means that it "will rarely be an available option for DOD."



ACC is very concerned, however, about the inclusion of “Approved Hold in Place” of AFFF at participating fire stations as an alternative in the Department’s assessment. The EIS identifies issues associated with regulations controlling long-term storage of waste and permitting, but does not consider the increased risk of environmental release at numerous locations that such storage presents. While treatment technologies may continue to advance, it is neither correct nor a clarification to suggest that long-term storage of AFFF waste is an appropriate method for handling PFAS waste when effective methods currently exist.⁴ We urge the Department to reassess the ranking of long-term storage as an appropriate alternative to handling AFFF waste that runs counter to the intent of solid and hazardous waste regulatory structures and that may encourage stockpiling of material. This could lead to more environmentally detrimental effects than the other alternatives. Additionally, this method increases the cost of materials management due to the required handling and storage cell construction and maintenance for all regulated entities.

Please do not hesitate to contact me at srisotto@americanchemistry.com or at (202) 249-6727 if you have any questions about the above information.

Sincerely,

Steve Risotto

Stephen P. Risotto
Senior Director

Enclosure

⁴ Notably, the other destruction technologies considered as alternatives in the EIS do not suggest a level of destruction that exceeds the 99.9999 percent destruction efficiency that is achieved at the Clean Harbors Aragonite incinerator (Draft EIS, at 2-15).

