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Independent Regulatory Review Commission

Pasa SUSTAINABLE AGRICULTURE

April 27, 2022

**RE: Comments on PA DEP regulation to set state-wide MCL on PFAS**
TO: PA DEP
FROM Pasa Sustainable Agriculture

Pasa Sustainable Agriculture is pleased to provide comments and recommendations in response to the PA DEP's call for comments on regulation to protect the Commonwealth's drinking water supplies from PFAS chemicals. Pasa represents more than 7,500 active members including farmers, supporters of sustainable agriculture, and professionals in the food service industry, and 60,000 supporters in our information, research and media networks. Our members share a concern that the human and animal uptake of PFAS chemicals, with links to cancer, thyroid disease, obesity and ulcerative colitis, may threaten human and animal health and welfare, as well as threaten the economic survival of our farming industry here in Pennsylvania. We encourage DEP to undertake a robust and expansive regulatory program by setting a Pennsylvania-specific Maximum Contaminant Level for drinking water to protect this vital resource, our livelihoods and our collective health, and to help contain the threat of PFAS contamination through rigorous assessment, monitoring and mitigation activities.

A recent (February 2022) article in *AgriPulse*, a national agricultural daily, describes the impact of PFAS contaminants on farms in Maine and New Mexico. PFAS was detected at levels so high it required shutting down dairy operations in Maine, where livestock were tested and found to have PFAS levels above state thresholds. In New Mexico, PFAS contamination was detected on a farm due to the migration of chemicals from a nearby site where firefighting foam was applied. https://www.agri-pulse.com/articles/15308-forever-chemicals-get-agricultures-attention

A recent article from *Environment Health News* looked at Pennsylvania's potential exposure to PFAS contamination on farms in light of Maine's experience.
https://www.ehn.org/pfas-in-pennsylvania-food-2639142267.html
It found that more than 750,000 tons of biosolids have been applied on more than 4,500 acres in Pennsylvania characterized as mine reclamation lands, but these sites have not yet been tested for PFAS contamination. An increasing number of farms in Pennsylvania have been applying biosolids on their fields as a way of reducing expensive fertilizer inputs and helping with biosolid disposal generally. In Maine, 18 of 22 farms that applied biosolids were tested and found higher than the state's threshold for PFAS contamination. There is obviously strong concern that something similar could be happening here in Pennsylvania.

Pennsylvania is a national leader in the dairy industry, and has other growing livestock sectors where animals rely on natural sources of water that may be contaminated by PFAS chemicals.

There is also uncertainty as to whether crops grown in the vicinity of PFAS contamination sites are taking up these chemicals as they grow, potentially contaminating animal feed sources and crops grown for human consumption. Many Pennsylvania farmers, as well as other residents, are active in hunting and fishing. Deer have tested positive for PFAS in other states, and fish and other aquatic foods are also potential sources of PFAS contamination.  .

**Recommendations:**
DEP should actively pursue regulation that provides the resources to limit, as well as investigate, assess and mitigate the impacts of PFAS chemicals on our drinking water. These should be focused on water sources used by livestock on farms, as well as fish and wildlife, in addition to those that directly affect human health.

The Department of Agriculture should play a strong supporting role in its outreach to farmers and others involved in agriculture to encourage cooperation with PFAS investigative and mitigation efforts. According to DEP's 2019 Action Team report on PFAS, the Department of Agriculture “assists with PFAS-related efforts including the bureaus of Food Safety and Laboratory Services, Animal Health and Diagnostic Services, Farmland Preservation, and the State Conservation Commission. Among other duties, these offices collectively monitor the latest PFAS science related to dairy milk, food supply, biosolids, livestock, preserved farmland, and laboratory testing. " This needs to shift from a science review role to a more active role as a liaison to the farming community and investigator of animal welfare, and to support DEP’s efforts.

Maine's Ag Extension Service has created a guide for identifying, assessing and mitigating PFAS contamination on farms, that would provide a good model for Pennsylvania: https://extension.umaine.edu/agriculture/guide-to-investigating-pfas-risk-on-your-farm/

And while drinking water supplies are the focus of this regulatory effort, we encourage DEP to broaden its purview to assess the risks and extent of PFAS contamination in biosolids, farm-adjacent PFAS contaminated site migration, and uptake by plants and crops.

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