



To: Secretary Patrick McDonnell

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Testimony in support of PFAS MCL Proposed Rulemaking

PIRG is a member-supported, national and state-based, non-partisan and non-profit public interest advocacy organization fighting for consumers for more than 45 years. We are part of a network of state PIRGs, including PennPIRG, that works on public health issues such as cleaning up Superfund sites, stopping the overuse of antibiotics on factory farms, and advocating for the removal of lead from gas, paint, and drinking water. We have more than a 4 decade track record of figuring out solutions that will work and advocating for them until we get results. Because even in this deeply divided moment, all Americans want a healthier, safer, more secure future.

PIRG supports the Safe Drinking Water PFAS MCL Rule [52 Pa.B. 1245] and applauds the Pennsylvania Department of Environmental Protection for taking this step because Maximum Contaminant Levels for PFAS are urgently needed to protect public health. But, we urge the DEP to do more.

PFAS refers to a vast range of over 9,000 persistent substances that have been found in drinking water, groundwater, air, soil, and human blood. Known as "forever chemicals", they never fully break down in the environment and may remain for thousands of years. Not only do these man-made substances impact our environment and wildlife, but they harm our health as well. Exposure to PFAS, which is nearly impossible to avoid, can impact human health in a number of ways, including immunosuppression, liver disease, kidney cancer, testicular cancer, and reduced responses to vaccines. People with high levels of PFAS in their blood form fewer antibodies in response to vaccines and are less able to fight off infection. With the Covid-19 pandemic still a factor for public health and the importance of vaccinations, it is essential that we address the additional health risks posed by PFAS chemicals.

PIRG supports the greatest protection that can be attained for the public from exposure to PFAS compounds. The major exposure route for PFAS is through drinking water. MCLs must be adopted by DEP to mandate their removal from drinking water. I urge the DEP to adopt MCLs that will do the following:



1. Provide equal protection for all

The plan applies only to Public Water Systems, excluding private water wells, leaving a large number of Pennsylvanians out of the sampling. All water supplies, including individual private water wells, should be covered by the plan. Excluding private well users from the MCL rulemaking means that about one quarter of the population of Pennsylvania will continue to be in the dark about whether they are drinking water containing PFAS. The plan should be amended to include private water sources.

2. Rapid Implementation

In the proposed rule, initial compliance does not start until 2024 for larger systems and 2025 for smaller systems. This means it will be another two to 3 years before clean drinking water is available from public water system taps in Pennsylvania. While PADEP finalizes its bureaucratic process, people will continue to drink water that may contain PFAS without even knowing it. Given the serious health effects of exposure to even small amounts of PFAS, this egregious delay is unjustifiable and all systems included in the rulemaking should be required to start sampling immediately.

3. Monitoring Needs to be Rigorous and Ongoing

Sampling should be required annually for all systems with no waivers for any systems. PFOA and PFOS are highly mobile in water and persistent in the environment, making their migration from a source of contamination a threat that is unpredictable and can occur rapidly. Whether detected during the initial period or not, monitoring is a prudent investment in protection of the public's health. The toxicity, bioaccumulation and persistence of these compounds require rigorous and continual monitoring to achieve protective early detection. For systems with detections above the MCLs, monthly sampling should be required until the level is reduced below the MCL, then quarterly monitoring should be allowed before returning to the annual requirement.

4. More PFAS Compounds Require MCLs.

MCLs should be set for more PFAS compounds, especially those DEP sampled for and found at some level within the state's environment. That includes PFNA, PFHxA, PFHxS, PFHpA, and PFBS.

5. More Protective Standards are Needed

The proposed MCL standards for PFOA (14ppt) and PFOS (18ppt) are not strict enough. The PFOA MCL should be as low as possible but not to exceed 6 ppt and the PFOS MCL should be no greater than 5 ppt. When PFOA and PFOS are found combined in water, their combined concentration should be no higher than 13 ng/L. These recommendations are based on toxicological risk assessments.



With a lack of action on PFAS from the federal government, states have been taking the lead in protecting citizens from PFAS drinking water contamination. As a proud, born and raised Pennsylvanian, I am happy to see that PADEP is stepping up and protecting Pennsylvanians from these toxic forever chemicals. I hope PADEP will continue to work to swiftly clean up PFAS contamination that this monitoring program will uncover.