



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENT QUALITY BOARD

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IN RE: SAFE DRINKING WATER PFAS MCL RULE

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BEFORE: LAURA GRIFFIN, Chair

HEARING: Friday, March 25, 2022

9:06 a.m.

LOCATION: Videoconference Hearing

WITNESSES: Reverend Sandra Strauss, Stephanie Wein,
Kofi Osei, Jared Freddo, Emily Rogers

Reporter: Cory Ruda

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A P P E A R A N C E S

ALSO PRESENT:

BRIAN CHALFANT

DAREK JAGIELA

JENNIFER SWAN

I N D E X

DISCUSSION AMONG PARTIES

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CERTIFICATE

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NumberDescriptionOffered

NONE OFFERED

P R O C E E D I N G S

MS. GRIFFIN: So good morning. I

would like to welcome you to the Environmental
Quality Board, or EQB, of a hearing of the proposed
rulemaking for the Safe Drinking water PFAS MCL
rule. My name is Laura Griffin. I'm the Rank
Official Coordinator for the Department of
Environmental Protection. I'm facilitating this
hearing on behalf of the EQB.

Assisting me are Brian Chalfant, our
Deputy Policy Director; Darek Jagiela, our host; and
Jennifer Swan who you corresponded with to register
for this hearing.

I officially call this hearing to
order at 9:06 a.m. A stenographer will be
transcribing the hearing.

The purpose of this hearing is to
formally accept testimony on the proposed
rulemaking. This proposed rulemaking was adopted at
the EQB at its meeting on November 16th, 2021. It
proposes to set maximum contaminant level goals and
maximum contaminant levels, or MCLs, for two per and
polyfluoroalkyl substances, PFAS spelled P-F-A-S.
And those two substances are perfluorooctanoic acid,

1 or PFOA spelled P-F-O-A, and perfluorooctane
2 sulfonic acid, or PFOS spelled P-F-O-S.

3 PFAS are considered emergent
4 containments because research is ongoing to better
5 understand the potential impacts PFAS pose to human
6 and animal health and the environment. PFAS are
7 potentially linked to a number of adverse health
8 effects, including high cholesterol, developmental
9 effects including low birth weight, liver toxicity,
10 decreased immune response, thyroid disease, kidney
11 disease, ulcerative colitis, and certain cancers
12 including testicular cancer and kidney cancer.

13 The proposed amendments are intended
14 to protect public health by setting state MCLs for
15 contaminants in drinking water that are currently
16 unregulated at the federal level. With the proposed
17 amendments, the Commonwealth would move ahead of the
18 U.S. Environmental Protection Agency, or EPA, in
19 addressing PFOA and PFOS in drinking water and join
20 a small group of states who have set MCLs for select
21 PFAS in drinking water.

22 Safe drinking water is vital to
23 maintaining healthy and sustainable communities.
24 Proactively addressing PFOA and PFOS contamination
25 in drinking water can reduce the incidence of

1 illness and reduce healthcare costs. Recent
2 research suggests that EPA's combined lifetime
3 health advisory level for PFOA and PFOS of 70 parts
4 per trillion is not sufficiently protective against
5 adverse health effects. EPA has started the process
6 of setting more stringent standards for PFOA and
7 PFOS in drinking water, but that process is expected
8 to take years to complete.

9 For that reason, it is important that
10 the EQB act now to propose more protective standards
11 for Pennsylvania to protect the health of
12 Pennsylvanians. Proper investment in public water
13 system infrastructure and operations helps to ensure
14 a continuous supply of safe drinking water, enables
15 communities to plan and build future capacity for
16 economic pros, and ensures there are long term
17 sustainability for years to come.

18 These MCLs would apply to the
19 following types of public water systems. Community
20 water systems, non-transient non-community water
21 systems, and bottled, vended, retail, and bulk water
22 systems.

23 The rulemaking also proposes to
24 establish monitoring requirements for PFOA and PFOS
25 for these public water systems. In order to

1 demonstrate compliance with the MCLs and to
2 establish sampling and analytical requirements and
3 acceptable treatment technologies for achieving
4 compliance with the proposed MCLs.

5 This concludes the summary of the
6 rulemaking. If you would like to access a more
7 detailed explanation of regulatory amendments
8 included in this rulemaking, you can visit eComment
9 on DEP's webpage and select regulations.

10 In order to give everyone an equal
11 opportunity to comment on this proposal, I would
12 like to establish the following rules. Some of this
13 information will be provided in the chat box so you
14 do not need to write everything down. I will call
15 upon the witnesses who have signed up to testify at
16 this hearing. All who signed up were assigned a
17 number indicating the order in which witnesses will
18 be called to speak. Testimony is limited to five
19 minutes for each witness, and I will have a timer on
20 the screen. Please note that if you should run out
21 of time for your spoken testimony, we will read the
22 rest of your comments from your written testimony.

23 As we requested in registration
24 correspondence, please provide a copy of your
25 written testimony to regcomments@pa.gov. That is

1 regcomments@pa.gov. Your email must note that you
2 are submitting testimony for a proposed rulemaking
3 safe drinking water PFAS MCL rule along with the
4 following information. Your first and last name,
5 your mailing address, your email address, and if you
6 were commenting on behalf of an organization.

7 Your testimony is not required to be
8 five minutes long. If others who provide testimony
9 before you are making similar statements to yours,
10 you are free to shorten or summarize your spoken
11 testimony and still provide your full written
12 testimony by email. For the sign up process,
13 prospective commenters were requested to designate
14 one witness to present testimony on behalf of an
15 organization.

16 When you begin your testimony, please
17 state your name, address, your city and state are
18 sufficient, and your affiliation with an
19 organization if you have one for the record prior to
20 presenting your testimony. The EQB would appreciate
21 your help by spelling out your name and terms that
22 may not be familiar and please be as accurate as
23 possible.

24 Because the purpose of the hearing is
25 to receive comments on the proposal, DEP staff

1 cannot address questions about the proposed
2 rulemaking during the duration of the hearing. In
3 addition to or in place of verbal testimony
4 presented at today's hearing, interested persons may
5 also submit written comments on this proposal.
6 Again, written and verbal comments hold the same
7 weight when considered in the finalization of those
8 proposed rulemaking. All testimony and written
9 comments provided become a part of the official
10 public record.

11 All comments must be received by the
12 EQB on or before April 27th, 2022. There are a few
13 different ways that you can submit written comments
14 which is separate from hearing testimony. Comments
15 may be submitted online through eComment, accessible
16 from DEP's website by going to DEP's homepage
17 www.dep.pa.gov, and selecting eComment under the
18 heading public participation which is at the top of
19 the page. Or comments may be submitted by email at
20 regcomments@pa.gov.

21 All comments are entered into
22 eComment, and are accessible to the public. The
23 subject heading of the proposed rulemaking and a
24 return name and address must be included in each
25 email. Comments may also be sent through U.S.

1 Postal Mail addressed to the Environmental Quality
2 Board, P.O. Box 8477, Harrisburg, PA 17105-8477.

3 All testimony received at this hearing
4 as well as written comments received by April 27th,
5 2022 will be considered by the EQB and will be
6 included in a comment and response document which
7 will be prepared by DEP and reviewed by the EQB
8 prior to the EQB taking its final action on this
9 regulation.

10 I will now call for the first
11 commenter. I'm going to switch my screen so you can
12 see the commenter list of registrants and the timer.
13 Okay, so our first commenter this morning is
14 Reverend Sandra Strauss.

15 REVEREND STRAUSS: My name is Reverend
16 Sandra Strauss, S-T-R-A-U-S-S. I'm a resident of
17 Harrisburg, Pennsylvania. I have a public policy
18 education, and I work for the Pennsylvania Council
19 of Churches.

20 Thank you for this opportunity to
21 speak today with respect to the proposed standards
22 for PFOA and PFOS, collectively known as PFAS, and
23 often referred to as forever chemicals. We
24 appreciate that the DEP is attempting to set
25 reasonable standards for these chemicals, and doing

1 so would be a definite improvement over the EPA's
2 guideline of a 70 PPT maximum contaminant level.
3 However, we believe that the proposed MCLs of 14 and
4 18 PPT for PFOA and PFOS respectively are not
5 stringent enough. A toxicology report from Drexel
6 University recommended an MCL of eight and 14 PPT,
7 which is better, but we would like to see it even
8 lower.

9 We understand that the DEP chose a
10 lower protective level due to a cost benefit
11 analysis, and we acknowledge that cost is always a
12 factor. However, we must also point out that in
13 Article 1 Section 27 of Pennsylvania's Constitution
14 provides that each citizen has the right to pure
15 water, which we believe needs to be considered as
16 well. We also note the initial compliance
17 monitoring for water systems that serve more than
18 350 persons will not begin until January of 2024,
19 and for smaller systems not until January 2025.

20 This is of grave concern because it
21 means that millions of Pennsylvanians will continue
22 to drink water that may contain high levels of PFAS
23 for another two to three years without knowing it.
24 Waiting for this long for monitoring is unacceptable
25 because these chemicals are highly toxic, continue

1 to build up, are difficult to expel, and can cause
2 serious health conditions, including cancer.
3 Initial samplings should take place immediately and
4 must be done frequently because these chemicals are
5 highly mobile and persistent so they may show up at
6 any time, even in places with low or no initial
7 measurements.

8 We would add that the MCLs should be
9 set for a wider range of PFAS as well as all are
10 known to have health effects when ingested through
11 drinking water.

12 There are numerous reasons for the
13 Council to support the lowest standards possible,
14 and more rapid implementation. As people have
15 begged, we take to heart God's command to Adam and
16 Eve in the Garden of Eden to till it and keep it, a
17 command meant for all generations. This fragile
18 planet is not ours to despoil. As the Soma said,
19 the Earth is the Lord's and all that is in it. We
20 are called to hold it in trust to protect and
21 preserve. These imperatives include justice as a
22 consideration. Most people have no choice over
23 their drinking water. At risk population can't just
24 switch to a non-contaminated source. However, even
25 a source, a switch to bottled water may not help.

1 In an article in the June 17th, 2021 issue of
2 Consumer Reporting, Johns Hopkins researchers report
3 detected PFAS substances in 39 out of more than 100
4 bottled waters tested. In some cases, at levels
5 deemed concerning by water quality experts.

6 Given the ubiquity of PFAS, it appears
7 that no one is truly safe but the poorest and most
8 at risk populations stand to be affected most
9 dramatically. And it isn't only people who are
10 affected. Livestock that drink from contaminated
11 streams and water sources are taking in PFAS as
12 well. We can't speak to the effects on these
13 animals, but we suspect that PFAS are also passed on
14 to humans in the food we eat, another reason we must
15 work harder to remove them from our environment to
16 the greatest extent possible.

17 I cannot share the kinds of statistics
18 and estimates that many who are testifying today
19 will share with you, but I do believe in science and
20 the solid evidence of damage we have done to our
21 world. I can speak as a concerned human being and a
22 person of faith who believes I am called to love my
23 neighbor and to care for the Earth, and I pray that
24 you will listen to the experts with your heads and
25 to people like me with your hearts because it will

1 take both their expertise and our passion combined
2 with appropriate tools like excellent standards to
3 protect all Pennsylvanians to make our Commonwealth
4 a more livable place for us and generations to come.
5 Thank you.

6 MS. GRIFFIN: Thank you for your
7 comments, Reverend Strauss. Our next speaker,
8 registered speak this morning is Stephanie Wein.
9 Stephanie, are you with us?

10 MS. WEIN: Yes, all right.

11 Good morning. My name is Stephanie
12 Wein, W-E-I-N. I'm the Clean Water and Conservation
13 Advocate for Penn Environment. I'm a resident of
14 Philadelphia, Pennsylvania, and employed by Penn
15 Environment.

16 Penn Environment is a statewide,
17 citizen based environmental advocacy organization
18 dedicated to ensuring Pennsylvanians have clean
19 water to drink. And we represent thousands of
20 members, volunteers, and activists across the
21 Commonwealth, including many that have been
22 adversely affected by PFAS pollution.

23 Penn Environment supports the safe
24 drinking water PFAS MCL rule. We applaud the
25 Pennsylvania Department of Environmental Protection

1 for taking this first crucial step in protecting
2 public health from PFAS exposure. Maximum
3 containment levels for PFAS are urgently needed, but
4 we also urge the PADEP to do more to protect public
5 health from PFAS beyond the scope of this rule
6 proposed.

7 PFAS are known as forever chemicals
8 because how they remain in the environment without
9 breaking down, and they should be treated as the
10 threat they are. They have been found in our
11 drinking water, surface and ground water, air, and
12 soil, and in our bodies where they act as endocrine
13 disruptors, harming a number of different systems
14 within us. PFAS exposure has been linked to kidney,
15 testicular, and prostate cancers. Immunosuppression
16 and reduced vaccine efficiency, including the COVID-
17 19 vaccine, liver disease, infertility and
18 reproductive dysfunction, lower birth weights and
19 developmental disorders, children and increased
20 cholesterol. And here in Pennsylvania, we've been
21 particularly impacted by this from the Willow Grove
22 Air Force base to Robinson Township in Allegheny
23 County to the new contamination site in the Lehigh
24 Valley.

25 We hear from our members regularly

1 about both the direct impact of PFAS on their health
2 as well as the fear and anxiety caused by not
3 knowing what's in their water. If it's contaminated
4 with PFAS, if it's safe to drink. And so, setting
5 MCLs will go a long way to allay those fears. And
6 given the major route for PFAS, exposure is through
7 drinking water and MCLs adopted by the DEP must be
8 effective in removing PFAS from the water when it
9 comes to Pennsylvania's taps. And so while the
10 proposed rule represents long awaited progress, we
11 urge the DEP to adopt a stronger, broader, and more
12 impactful MCLs that do the following.

13 First, we think that more PFAS
14 compounds should require MCLs beyond PFOA and PFOS.
15 The entire class of PFAS chemicals are a threat to
16 our health, and so MCLs must be set for more PFAS
17 compounds with a particular prioritization to those
18 that have already been found in Pennsylvania. So
19 that includes PFNA, PFHXA, PFHXS, PFHPA, and PFBS.

20 We also think there should be lower
21 MCLs for PFOS and PFOA. The proposed MCLs of 14
22 parts per trillion and 18 part per trillion are not
23 strict enough. No level of PFAS is safe, and the
24 level should be as low as possible, not exceeding
25 six parts per trillion for PFOA and five part per

1 trillion for PFOS. And the additive impacts of PFAS
2 should also be considered as they co-occur. Where
3 both are present, their combined concentration
4 shouldn't be higher than 13 parts per trillion. And
5 these recommendations have been based on toxicology
6 risk assessments.

7 We also want to make sure that these
8 protections are extended beyond public water systems
9 which leaves 3.5 million Pennsylvanians, especially
10 those in rural communities who depend on well water
11 without protection. All water supplies, including
12 private well water, should be covered by the DEP's
13 approach, and the plan should be amended to include
14 private water sources.

15 We also think this rule shouldn't
16 wait. We need faster implementation. In the
17 proposed rule, there is a delay until 2024 for
18 larger systems and '25 for smaller systems, which
19 means we have to wait two to three years before
20 residents begin to receive protection for their
21 drinking water for PFOA and PFOS. The sampling
22 should begin immediately.

23 And then finally, the monitoring needs
24 to be ongoing and without waivers and rigorous in
25 its nature because PFAS chemicals persist in the

1 environment and because they are so highly mobile.
2 That means that they don't stay where the initial
3 contamination takes place. And so, just because
4 they aren't detected during the initial monitoring
5 period, it doesn't mean that nearby communities that
6 are sort of adjacent to a plume won't then have
7 contamination in the short term. These chemicals
8 can migrate quickly, so we must have annual sampling
9 for all systems.

10 And then when a detection exceeds
11 MCLs, the rule should require monthly sampling until
12 that level drops below the MCL followed by quarterly
13 monitoring before returning to that annual
14 requirement.

15 I thank you for considering Penn
16 Environment's testimony. We're glad to see the
17 PADEP begin to take PFAS pollutant - take on PFAS
18 pollution. We support this rule, and we hope it can
19 be further strengthened and expanded. Thank you for
20 your time.

21 MS. GRIFFIN: Thank you for your
22 comments, Stephanie. Our next two registrants to
23 speak are Emily Rogers and Luis Puchol del Pozo.
24 I've been told that Luis will not be providing
25 testimony and I'm not sure is - I don't think Emily

1 is on the line. I - I unfortunately when I start
2 presenting, I can't see the list. So can, Darek,
3 can you just confirm that we do not have Emily with
4 us at this time?

5 MR. JAGIELA: No, we do not have Emily
6 with us.

7 MS. GRIFFIN: Okay.

8 We'll check back at the end to see if
9 she has joined us. So that actually, our fifth
10 registrant informed us last night that that person
11 will not be providing testimony either so that
12 brings us to our sixth already, Kofi Osei. Are you
13 with us, Kofi? And I apologize if I'm
14 mispronouncing your name, but please go ahead when
15 you are ready.

16 MR. OSEI: No, you are perfect. My
17 name is Kofi Osei. I live in Harleysville,
18 Pennsylvania.

19 Section 27 of the PA Constitution
20 states natural resources and the public estate that
21 people have their right to clean air, pure water,
22 and the preservation of the natural scenic,
23 historic, and aesthetic values of the environment.
24 Pennsylvania's public natural resources are the
25 common property of all the people, including

1 generations yet to come. As trustee of these
2 resources, the Commonwealth shall conserve and
3 maintain them for the benefit of all the people.

4 The Commonwealth has many things it
5 needs to do to fulfill that constitutional duty, but
6 we can start here. The health effects of these
7 forever chemicals are clear. I believe the PFOA MCL
8 should not exceed six parts per trillion. The PFOS
9 MCL should be no greater than five parts per
10 trillion. We need to implement these standards
11 immediately before more Pennsylvania children are
12 forced to grow up with preventable cancer.

13 Thank you for the time.

14 MS. GRIFFIN: Thank you for your
15 comments, Kofi. We have a last minute registrant
16 this morning, Jared Fredo. Jared, are you still
17 with us?

18 MR. FREDDO: Yes.

19 MS. GRIFFIN: Okay, please go ahead
20 and - go ahead and start your comments whenever
21 you're ready.

22 MR. FREDDO: Great. My name is Jared
23 Fredo from Bristol Township, PA, and I'm
24 representing Excel Events which is a non-profit that
25 works with water quality through native habitat

1 restoration and repairing buffer work along PA
2 creeks and rivers.

3 So as it relates to EPA and DEP
4 jurisdiction of reporting and data collection, I
5 believe that there should be a new, real time water
6 monitoring standard which monitors water for PFAS at
7 the inlet of municipal water and also after the
8 filtration at these facilities in a real time effort
9 with new sensors. Because the standard used to be
10 that they monitor on a monthly timeline, and it
11 misses the full picture of if what happens when it
12 rains, what happens if - if equipment breaks. To
13 have a real time sensor that the DEP and EPA can
14 monitor. It really gives accountability to
15 municipal efforts at water filtration. And also in
16 conjunction with that, I believe that it's, it would
17 be an idea to put into place initiatives that
18 require water suppliers to provide monthly reports
19 that show the water quality samples taken through
20 these real time sensors versus the standards that
21 they're monitoring to tell you if it's out of spec
22 or not.

23 So that's real time data collection,
24 and it relates in a more broad sense from EPA and
25 DEP where the standard currently has to do with the

1 industries and the different ways that DEP monitors
2 water discharge into our water systems is normally
3 self-monitoring by companies that allows a company
4 to discharge chemicals and choose to pollute and pay
5 fines. Where the DEP and EPA have jurisdiction that
6 would effectively allow them to ask a company to
7 shut down when they are polluting. But being that
8 there - there isn't real time data which shows the
9 EPA and DEP that a company or a source of pollution
10 is currently polluting, it doesn't allow the DEP to
11 respond in a timely manner to help public health.
12 It - so I believe that real time sensing is a valid
13 initiative at both monitoring polluting companies
14 and changing the current efforts that we have in
15 place and - and putting in place real time sensors
16 which are monitored in real time to allow the DEP to
17 react with the best interest of public health.

18 Secondly, I believe it would be a good
19 idea to put our best effort at cleaning up and
20 having the remediation at the contaminated sources
21 in a timely manner. Like, can we treat this as a
22 priority through DEP environmental justice
23 initiatives like brown field sites in New Jersey
24 where they had remediated through digging up food
25 and earth and putting it in a lined landfill? Can

1 we do this at Jacksonville?

2 There - there are current superfund
3 sites that have been remediated for over 50 years
4 such as DuPont in Bristol, and the methods that we
5 use there is injecting spores into the ground to
6 break down harmful chemicals to make them less
7 harmful. But this has been going on for 50 years,
8 and I think that we should do things in a more
9 timely manner such as two to five years.

10 And another, one line item is to also
11 monitor surface water instead of just discharge.
12 Thank you for your time.

13 MS. GRIFFIN: Thank you for your
14 comments, Jared. So I'll do another call for Emily.
15 Is Emily Rogers, has she joined us yet?

16 MR. JAGIELA: Emily is still not on
17 the line.

18 MS. GRIFFIN: Okay.

19 She may not be joining us this
20 morning. Since it's only about 9:30 and we still
21 have some time, if there is anyone who is listening
22 to the hearing and had not pre-registered but would
23 like to make comments, would like to provide some
24 testimony this morning, please feel free to message
25 us in the chat box. And you need to provide - I'll

1 give 45 seconds if you'd just like to let us know.

2 MR. JAGIELA: I just received a
3 message that Emily Rogers is trying to join.

4 MS. GRIFFIN: Okay. All right.

5 We will hang on then. We'll see if we
6 can get her logged on so she can speak to us. And
7 just as a reminder, even though I said this about a
8 half hour ago, our public comment period is running
9 until April 27th, 2022. So anyone who's listening
10 and did not provide testimony, but would like to
11 submit written comments, we have another month. So
12 please make sure you submit your comments to us by -
13 on or before April 27th. And for the few witnesses
14 we have this morning who provided testimony, if you
15 have a written copy of your testimony already, I
16 have already received one or two, please make sure,
17 we would appreciate if you would submit a copy of
18 your written testimony to regcomments@pa.gov.

19 MR. JAGIELA: All right, Emily has
20 joined us.

21 MS. GRIFFIN: Excellent, okay. Emily,
22 can you let us know if we can hear you?

23 MS. ROGERS: Yes, can you hear me?

24 MS. GRIFFIN: Yes, we can. Please go
25 ahead as soon as you're ready.

1 MS. ROGERS: So sorry about that,
2 thank you so much. So my name is Emily Rogers. I'm
3 the Bureau of Toxics Advocate for PIRG. PIRG is a
4 member supported national and state based non-
5 partisan, non-profit public interest advocacy
6 organization fighting for consumers for more than 45
7 years. We're a part of a network of state PIRGs
8 including Penn PIRG that works on public health
9 issues such as cleaning up superfund sites, stopping
10 the overuse of antibiotics on factory farms, and
11 advocating for the removal of lead from gas, paint,
12 and drinking water. We've more than four decades of
13 figuring out solutions that will work and advocating
14 for them until we get results. Because of, even in
15 this deeply divided moment, all Americans want a
16 healthier, safer, and more secure future.

17 PIRG supports the safe drinking water
18 PFAS MCL rule, 52 PA(b)1245, and applauds the
19 Pennsylvania Department of Environmental Protection
20 for taking this step because maximum contaminant
21 levels for PFAS are urgently needed to protect
22 public health. But we urge DEP to do more.

23 PFAS refers to the vast range of over
24 9,000 persistent substances that have been found in
25 drinking water, ground water, air, soil, and even

1 blood. Known as forever chemicals, they never fully
2 break down in the environment and they remain for
3 thousands of years. Not only do these manmade
4 substances impact our environment and wildlife, but
5 they harm our health as well. Exposure to PFAS
6 which is nearly impossible to avoid, can impact
7 human health in a number of ways including
8 immunosuppression, liver disease, kidney cancer,
9 testicular cancer, and reduced responses to
10 vaccines.

11 People with high levels of PFAS in
12 their blood form fewer antibodies in response to
13 vaccines, and are less able to fight off infection.
14 With the COVID-19 pandemic still a factor for public
15 health and the importance of vaccinations, it is
16 essential that we address the additional health
17 risks posed by PFAS chemicals.

18 U.S. PIRG and PIRG supports the
19 greatest protection that can be obtained for the
20 public from exposure to PFAS compounds. The major
21 exposure route for PFAS is through drinking water,
22 so MCLs must be adopted by DEP to mandate the
23 removal from drinking water. I urge DEP to adopt
24 MCLs that will do the following.

25 One, protect equal - or provide equal

1 protection for all. The plan applies only to public
2 water systems, excluding private water wells leaving
3 a large number of Pennsylvanians out of the
4 sampling. All water samples including individual
5 private water wells should be covered by the plan.
6 Excluding private well water users from the MCL rule
7 making means that about one quarter of the
8 population of Pennsylvania will continue to be in
9 the dark about whether they are drinking water
10 containing PFAS. The plan should be amended to
11 include private water sources.

12 Rapid implementation is the second
13 point that the plan should address. In the proposed
14 rule, an initial compliance does not start until
15 2024 for larger systems and 2025 for smaller
16 systems. This means that it will be another two to
17 three years before clean drinking water is available
18 for public - from public water system taps in
19 Pennsylvania. While PA DEP finalizes its
20 bureaucratic process, people will continue to drink
21 water that may contain PFAS without even knowing it.
22 Given the serious health effects of exposure to even
23 small amounts of PFAS, this egregious delay is
24 unjustifiable, and all systems included in the
25 rulemaking should be required to start sampling

1 immediately.

2 Number three, monitoring needs to be
3 rigorous and ongoing. Samplings should be required
4 annually for all systems with no waivers for any
5 systems. PFOA and PFOS, two types of PFAS, are
6 highly mobile in water and persistent in the
7 environment, making their migration from a slur sump
8 contamination a threat that is unpredictable and can
9 occur rapidly. Whether detected during the initial
10 period or not monitoring is a prudent investment in
11 protection of the public health. The toxicity,
12 bioaccumulation, and persistence of these compounds
13 requires rigorous and continual monitoring to
14 achieve protected early detection. For systems with
15 detection above the MCLs, monthly sampling should be
16 required into the levels reduced below the MCL.
17 Then quarterly monitoring should be allowed before
18 returning to the annual requirement.

19 Four, more PFAS compounds require
20 MCLs. MCLs should be set for more PFAS compounds,
21 especially those DEP sampled for and found at some
22 level within the state's environment. That includes
23 PFNA, PFHXA, PFHXS, PFHPA, and PFBS.

24 And five, more protective standards
25 are needed. The proposed MCL standards for PFOA at

1 14 parts per trillion and PFOS at 18 parts per
2 trillion are not strict enough. The PFOA MCL should
3 be as low as possible, but not to exceed six parts
4 per trillion, and the PFOS MCL should be no greater
5 than five parts per trillion. When PFOA and PFOS
6 are found combined in water, their combined
7 concentration should be no higher than 13 nomograms
8 per liter.

9 There recommendations are based on
10 toxicology risk assessments. With a lack of action
11 on PFAS from the federal government, states have
12 been taking the lead in protecting citizens from
13 PFAS drinking water contamination. As a proud born
14 and raised Pennsylvanian, I'm happy to see that
15 PADEP, DEP is stepping up and protecting
16 Pennsylvanians from these toxic forever chemicals.
17 I hope DEP will continue to work swiftly to clean up
18 PFAS contamination that this monitoring program will
19 cover. Thank you so much.

20 MS. GRIFFIN: Thank you for your
21 comments, Emily. We have no other registered
22 commenters, so it's one last call for anyone who may
23 want to provide impromptu comments? I've been told
24 no one else has messaged yet, but this is your last
25 chance to provide comments during the hearing. Of

1 course, everyone can still provide written comments
2 during the public comment period.

3 Seeing none, in that case, thank you
4 everyone for taking the time this morning to provide
5 testimony. With no other commenters present, on
6 behalf of - on behalf of the EQB, I hereby adjourn
7 this hearing at 9:42 a.m. Thank you and have a
8 wonderful weekend, everyone.

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10 HEARING CONCLUDED AT 9:42 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing was held before Chair Griffin, was reported by me on March 25, 2022 and that I, Cory Ruda, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 29 day of April, 2022


Court Reporter

Cory Ruda