

Testimony on S.197 in Senate Health and Welfare
29 February, 2024
Submitted by Michael Bald, Royalton, VT

Vermont Senate Committee on Health and Welfare
ATTN: Senator Lyons
Montpelier, VT

Dear Senator Lyons and Fellow Committee Members,

Thank you for the continuing work on S.197, a crucially important bill. After seeing the discussion from 28 February (yesterday), I recognized that some confusion persists as to the purpose of the legislation; Ms. McLinn continuously returned to the question of purpose and intent. In the interest of helping and simplifying, I wish to offer a thought here on that framing issue, and I refer you to my email of 8 February as a first attempt to offer input. My article in that email may be informative; I hope you elected to read it.

S.197 is intended to help us, the people of Vermont, be rid of products containing PFAS / PFOA compounds. The purpose of S.197 is quite broad in terms of proposed actions; below is a partial quote:

It would also require the Department of Health to establish a registry to monitor adverse health conditions and diseases that may be attributable to PFAS exposure. This bill proposes to require the Department of Health to issue a public health advisory regarding the presence of PFAS in drinking water. It further proposes to restrict perfluoroalkyl and polyfluoroalkyl substances as ingredients in pesticides.

I see opportunities for simplicity here. Again, I believe the goal is to reduce exposures to PFAS compounds via the products we use every day. The thousands of compounds are present in thousands of products, so I see little

value in an educational campaign. People know what is right and wrong, but they also make decisions based on money. I have neighbors who still burn trash (can't mistake the smell of plastic) and I still see tires left in parking lots to avoid disposal fees. Education is not the need here. The need is for regulations and enforcement as the justifiable cost of doing business in Vermont. The PFAS is the problem, not the containers and not ignorance.

Please understand that the great tragedy here is the FACT that anyone can go to any number of stores and buy from a huge selection of pesticides and then use those products in the presence of children, in the proximity of water, in the nearness of neighbors. Not good, and I believe these are the scenarios you are trying to prevent. As I stated in my article / commentary, I personally tested a publicly available pesticide and got high readings of PFBA and PFPeA, both of which are known PFAS compounds with human health impacts. I spent \$1200 on this. Please get these pesticide products off store shelves; they should NOT be available for homeowners.

I would also ask you: is it necessary for Vermont to set up a health registry regarding PFAS impacts, when such has already been done in West Virginia with funding from the chemical manufacturer? This is again outlined in my article and in the film *Dark Waters*. Let the manufacturer of poisons pay for the ongoing medical monitoring associated with those poisons. Vermont should not pay a dime, period, but yes, a registry would yield plenty of useful, and sad, information to us.

Finally, I heard talk of a certification program and labeling and registries. We are far past that, especially since there are no safe levels of PFAS. Setting a threshold of 20 parts per trillion will be an antiquated rule as soon as it passes. Any labeling / certification program will experience the same undesired outcomes that GMO labeling saw: decades of misinformation and deception and regulatory work-arounds resulting in cute USDA-approved happy face labels and QR codes. The only thing that will successfully eliminate PFAS exposure is banning of the products containing them and rigid enforcement. It is the right move to include the Attorney General in this legislation.

In conclusion, I ask the following:

1. Address pesticides in this bill and go beyond containers. How much more of my own money do I have to spend demonstrating the problem?
2. Include the Attorney General as a party named in this bill for consultation on enforcement.
3. Since PFAS compounds are a human health and environmental issue, please dismiss the protective attitude of agricultural interests; citizens and legislators should be the ones crafting our regulatory world. The task at the Agency of Agriculture is to implement and manage.
4. Please do not spend loads of taxpayer money on education and labeling and “getting information to consumers.” Just protect us, get it done, and do so with a sense of urgency.
5. Please stop relying on the EPA and federal agencies. Dr. Bennett gave powerful testimony illustrating the failures and conflicts in government.
6. Watch the trailer for Dark Waters, 2019. It is 3 minutes long and online.
7. I am still available to testify to your committee with adequate advance notice. You should be aware that I will speak about pesticides.

Thank you.

Wishing my drinking water wasn't contaminated,
But it is,

Michael Bald,
Royalton, VT