

TO: Senate Committee on Health and Welfare

FROM: Brendan Atwood, Policy Director, Vermont Department of Health

DATE: February 21, 2024

SUBJECT: S.197 Testimony

Good morning, Madam Chair and committee members. For the record, my name is Brendan Atwood, and I am the Policy Director at the Health Department. Thank you for providing me with the opportunity to comment on this bill.

I want to start by saying that the Health Department is supportive of the bill's intent to reduce PFAS exposure. As Dr. Owen has noted, there are significant health concerns associated with PFAS exposure. And we agree that focusing on PFAS comprehensively is a sensible approach. We do have some questions as well as a few comments on the new language in Sections 1 and 2.

Starting with section 1. We appreciate the inclusion of some of the Department's recommended language. We also want to note that a "Public Service Announcement" (beyond the website information) would require funding to purchase advertisements, which is not currently included in the bill, nor of course in the Governor's FY25 recommended budget.

Moving on to Section 2. The recent amendments here raise some questions for the Department about how to interpret some of the proposed language, as well as some concerns around implementation and the Department's capacity to take on this work.

As you know, Section 2 tasks the Health Department with determining which use of PFAS is "unavoidable" in products. The first question we have is how the term "unavoidable" is meant to be interpreted. Even with more clarity on that definition, while the Department can offer insights on the health impacts of PFAS, we simply do not have the expertise to make determinations about whether the use of PFAS in a product is "unavoidable." Such a determination would be better made by an advisory group with expertise across several disciplines beyond public health.

We also have questions about the feasibility of implementing this program. Any list of exempt products could easily number in the tens to hundreds of thousands, especially considering that a single product may have thousands of components for which an assessment might be required for each component. This process would require a significant amount of work, both technical and administrative, which equates to the need for additional staff and funding, including for the IT system.





Implementing this would likely be an expensive and complicated undertaking for the Department, even if we had the expertise to make these determinations.

In summary, the Department appreciates the committee's goals with this bill: to reduce PFAS exposure and do so in a comprehensive way. We are happy to continue to work with the committee on how best to accomplish the goals to reduce PFAS exposure in the state. However, this draft of the bill leaves many important but unanswered questions about how this process to exempt products would be implemented by the Department, and the associated costs to do so. And we would therefore respectfully request that Section 2 be revisited by the committee.

Thank you. I am happy to answer any questions you may have.

Sincerely,  
Brendan Atwood  
Policy Director  
Vermont Department of Health

