



To: Members of the House Natural Resources, Fish and Wildlife Committee
From: Karen Horn, Director, Public Policy and Advocacy
Date: March 28, 2019
Re: S. 49, PFAS

Thank you for the opportunity to testify on S. 49. We did not testify on the bill in Senate Natural Resources and it seems that very few people did testify there.

We strongly endorse the letter sent to you from the Green Mountain Water and Environment Association, which is the association of public water supply and wastewater treatment facility professionals in the state.

The issue of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in public drinking water supplies, who pays to remediate and monitor these chemicals, and what remedies will be effective, are huge.

PFAS and other perfluorochemicals are a group of human-made chemicals that have been used in industry and consumer products since the 1940s. According to the New England Water Environment Association (NEWEA), PFAS include more than 4,700 chemicals and polymers. They contain carbon-fluorine bonds that make them chemically stable and highly persistent in the environment. PFAS can enter the environment from industrial or commercial sources, from disposing of goods that contain PFAS, or from landfill leachate. These chemicals persist in the environment for a very long time and are present in water bodies and in the blood of humans and wildlife. In short, they are everywhere.

S.49 is aimed squarely at municipal water supply and water quality facilities. The bill would impose substantial new obligations on municipalities while providing no funding to cover the new mandates. This proposal comes as the legislature continues to argue about a long-term funding source for Act 64, the legislation passed in 2015 to clean up the waters of the state.

Investigation of their effects on the environment, wastewater and water supply systems, humans, and animals is fairly recent. In addition to scientific investigations undertaken by the Environmental Protection Agency (EPA) at the painfully slow federal level, the Vermont Department of Health has adopted a health advisory level for certain PFAS of 20 parts per trillion. The Agency of Natural Resources (ANR) has adopted that level as part of its Remediation of Contaminated Properties and Groundwater Protection Rules, but not as part of the Water Supply Rule or Water Quality Standards.

S. 49 would:

- require public water systems to monitor for PFAS by December 1, 2019, and thereafter, depending upon the results of the monitoring;
- require the public water system to implement treatment to reduce levels of PFAS contaminants below the advisory level; and
- provide alternative potable water through other means until monitoring indicates that PFAS are below the advisory level.



The bill would also authorize ANR to require any permitted facility to monitor for any release of a chemical that exceeds a Vermont Department of Health advisory, and to impose conditions for up to two years from the date of that advisory, if the ANR Secretary determines that there may be “imminent and substantial endangerment to human health or the natural environment.”

Municipalities did not create the PFAS problem and their presence permeating the environment cannot be resolved solely by cleaning up water supplies or wastewater treatment facility discharges or even landfills. Recognizing the significant and ubiquitous risk that PFAS represent, we urge you to consider:

- Municipalities cannot afford the costs to measure, monitor and treat PFAS that arrive at their facilities.
- Wastewater treatment processes [and water supplies] do not utilize or add PFAS chemicals; they convey the PFAS that initially enter society through commercial products.
- PFAS are highly resistant to treatment and remediation.
- Prevention, product evaluation and control of PFAS-containing products are needed to address the sources of PFAS.
- Continued funding, research, and monitoring are necessary to understand the impacts of PFAS and other contaminants on the environment, wastewater, and associated media.

Thank you for the opportunity to testify.

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