

**Committee on Energy and Commerce**

**Opening Statement**

**of**

**Subcommittee on Environment Ranking Member Paul Tonko**

***Hearing on Perfluorinated Chemicals in the Environment: An Update on the Response to Contamination and Challenges Presented***

**September 6, 2018**

Thank you, Mr. Chairman.

70 parts per trillion. Per trillion. It is hard to even fathom that amount; drops in an Olympic-sized swimming pool. But that is the health advisory level established by EPA for lifetime exposure to PFOA and PFOS in drinking water.

When we discuss other serious drinking water contaminants, we often deal in parts per billion. Lead, perchlorate, and other dangerous contaminants are considered on a scale orders of magnitude larger than PFOA. That gives you a sense of how toxic this class of chemicals is.

After a number of high profile incidents, in 2016, EPA significantly lowered its health advisory level from 400 parts per trillion to 70.

Since then, we have seen some states set standards lower than 70 parts per trillion, and the press has reported what appears to be political interference that sought to delay a CDC toxicity study, which suggested these substances are dangerous at even lower levels than previously stated by EPA.

Clearly, we have issues with risk communication. So I understand the frustration felt by individuals and communities that do not know who to trust.

Perfluorinated substances, collectively known as PFAS, have been linked to cancer, thyroid disease, and other serious health problems.

These compounds, such as PFOA, PFOS, and Gen X, have been used for industrial purposes, including cookware, food packaging, and firefighting foam.

We know PFAS are toxic, bioaccumulative, and stick around in the environment for years. We know almost all Americans have had some PFAS exposure. And we know drinking water contaminations are being found in communities across the country.

Research from Environmental Working Group estimated PFAS contamination in the water supplies of 15 million Americans. Due to how these chemicals are monitored, this number is likely underestimated.

Under the EPA's Unregulated Contaminant Monitoring Rule, or UCMR, from 2013 to 2016 all U.S. public water systems serving 10,000 or more customers tested their supplies for PFOA, PFOS, and four other similar compounds.

But as it is, UCMR is not adequate.

It only covered six PFAS out of thousands within this chemical class that have been found in products or the environment.

About 50 million Americans are served by water systems that were not required to test for these PFAS at all, and 15 percent of Americans rely on private wells, which are not covered by any EPA drinking water standards or testing requirements.

Communities near my district are dealing with the consequences of contamination. Hoosick Falls, New York only discovered they had a problem after a private citizen tested his water.

I want to stress that communities like Hoosick Falls, Newburgh, and the dozens and dozens of others are not unique. And the elevated rates of cancer and unusual diseases are surely not a coincidence.

It should not— and cannot— fall upon every private citizen to test their water only after a loved one passes away from kidney cancer. This is why we have national, protective standards that require monitoring and treatment for dangerous, common contaminants.

We need EPA action on an enforceable standard. But without such action, this Committee has made efforts to ensure more widespread monitoring of PFOA and PFOS. In the Drinking Water System Improvement Act, passed by the Committee last year, we would require water systems serving more than 3,300 people to test for unregulated contaminants. Unfortunately, this does not help people served by the smallest systems or private wells, but it is a start.

Mr. Chairman, we should continue to look into additional ways to improve testing and monitoring.

Today is an opportunity for us to learn what EPA and state governments are doing to address the growing chorus of concerns from scientists and private citizens about the risks posed by PFAS.

I hope we will hear that EPA is exploring all regulatory options available and plans to act expediently. But even on the most aggressive timeline, regulatory action will likely take years. So we must consider what can be done right now to identify contaminations, prevent exposure, and expedite cleanups.

We are also joined today by the Department of Defense.

For decades, aqueous film-forming foam, a firefighting foam that contains PFAS, has been used by DOD and commercial airports. In communities where PFAS are not manufactured, groundwater contamination has often been traced to a nearby DOD installation where these firefighting foams have been used.

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Communities near these bases and industrial facilities did not sign up for this risk and deserve clean water. DOD must step up and make it right.

We know the cost of remediation can be expensive, and the health consequences of exposure can be fatal. Ultimately, we must hold polluters accountable to clean up and make the communities and families that have suffered from this pollution whole. And yes, that standard must apply to the U.S. Department of Defense.

Mr. Chairman, I am grateful you called this hearing today. I expect we will learn a lot about the options for EPA, DOD, states, and communities to protect people from these dangerous contaminants. But a hearing is not enough. I firmly believe there is a need for legislation to ensure that adequate testing, monitoring, remediation, and protection is occurring. And this can best be guaranteed if Congress requires EPA to take the steps necessary to make a determination on a maximum contaminant level, in addition to other potential protective actions.

I believe there are legislative proposals that would have bipartisan support, and I hope we can continue to look into this issue based on today's conversation. I yield back.