



To: Members of the Joint Committee on Administrative Rules
From: Charlotte Jameson, Program Director for Legislative Affairs, Energy, and Drinking Water, Michigan Environmental Council
Date: July 22nd, 2020
Re: Testimony in Support of PFAS MCLs; JCAR No. 20-08 (MOAHR No. 2019-035 EG) Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division, Supplying Water to the Public

Per- and polyfluoroalkyl substances, or PFAS, are a family of more than 3,000 manufactured chemicals that were put into production in the 1950s. The unique chemical properties of PFAS allowed manufacturers to create waterproof, stain resistant, and non-stick products. PFAS have been used in practically everything, including carpeting, waterproof clothing, food paper wrappings, upholstery, takeout containers, furniture, some cosmetics and more. They were also used in a firefighting foam called AFFF, which branches of the armed forces and fire departments used all across the country. Some forms of PFAS have been phased out of use, but many others are still used widely in commercial products and manufacturing processes today.

Research shows that PFAS is highly toxic to humans even at very low concentrations and that some forms of it bioaccumulates in our bodies. Exposure to PFAS increases risk of thyroid disease, decreases fertility in women, causes developmental issues in infants and older children, and increases blood pressure and cholesterol levels. They have also been linked to increased risks of kidney and testicular cancer. Studies have also shown that PFAS impacts our immune system. There is evidence from human and animal studies that PFAS exposure may reduce antibody responses to vaccines, which is highly relevant in our current COVID-19 public health crisis.

Drinking water is one of the primary exposure routes for toxic PFAS chemicals. Getting the PFAS out of our public water systems is vital to protect public health. Manufacturers of PFAS chemicals have known about the dangers that the compounds pose to human health for decades, but continued to incorporate these toxins into industrial and everyday products. More recently, publicly available toxicological research has increased decision-makers' and the public's understanding of the harms these toxins pose to the public and in particular to the most vulnerable among us, children and the elderly. It is clearly time to put into place drinking water standards to reduce exposure to these toxins in our public water supply systems.

Michigan Environmental Council strongly supports the rule package before the committee today, which would set enforceable drinking water standards for seven types of PFAS. There are

numerous scientific bases for developing MCLs, including the federal government's own risk assessment, which are lower than EPA's 2016 recommendation of 70 ppt. The approach set forth in this proposed rule package is designed to both protect public health, but do it in a way which attempts to mimic existing regulatory structures to facilitate compliance by water suppliers. To that end, the package gives public water supply systems a clear process to undertake to protect public health.

The standards set forth in the package are based on the best available science as determined by a thorough health-based review conducted by the scientific advisory group established by the Michigan PFAS Action Response Team (MPART). The package also underwent a full vetting by the legislatively created Environmental Rules Review Committee (ERRC), which has several members that represent industry and the regulated community. In fact not a single industry representative to the ERRC voted against advancing the MCLs to full promulgation.

Finally, the rule package has received vocal public support. MCLs were approved only after extensive public comment, which garnered over 3000 comments in support of the standards, with the primary comment being that Michigan residents would support consideration of even more stringent standards in the future.

Michigan Environmental Council urges JCAR to take no action on the rule package and to allow the 15 session days to elapse tomorrow. Delays in PFAS MCL implementation prevent the restoration of clean water supplies to affected individuals, with over 1.9 million PFAS impacted citizens and hundreds of impacted communities left with only limited recourse in their absence.

We know enough about the science of PFAS and the impacts it is already having on Michigan residents to act swiftly to put in place these critical protections.

Sincerely,
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