

MICHIGAN DEPT. OF ENVIRONMENT,
GREAT LAKES AND ENERGY PUBLIC
HEARING

January 8, 2020

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STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES and ENERGY

PUBLIC HEARING
FOR THE ADMINISTRATIVE RULES SUPPLYING WATER TO THE PUBLIC

301 Fulton Street West, Grand Rapids, Michigan

Wednesday, January 8, 2020, 5:30 p.m.

APPEARANCES:

For the Department of
Environment, Great

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1 Lansing, Michigan

2 Wednesday, January 8, 2020 - 6:06 p.m.

3 MR. OSTROWSKI: Good evening. The Michigan
4 Department of Environment, Great Lakes and Energy in
5 partnership with the Michigan Department of Health and Human
6 Services would like to welcome you to the public hearing on
7 the proposed administrative rules -- rule revisions to:
8 Rule Set #2019-35 EG - Supplying Water to the Public.

9 My name is Jim Ostrowski, and I am the hearings
10 officer for the public hearing and I'd like to take the
11 opportunity to also introduce Eric Oswald, who actually you
12 already met Eric over here (indicating). He's the director
13 of the Drinking Water and Environmental Health Division, and
14 Dave Fiedler, who is EGLE's regulatory affairs officer.
15 There are also several staff from EGLE and the Michigan
16 Department of Health and Human Services available to answer
17 your questions in the resource area outside the hearing
18 room. So if you didn't get a chance to meet them, you might
19 want to do that. They're right outside there. And they
20 will be at the tables for the entire length of tonight's
21 meeting. And also they're going to stick around for a
22 little bit after we adjourn as well, so if you have
23 questions.

24 The hearing agenda, first, we're going to begin
25 with some background information about why we're here, then

1 we will describe the purpose of the hearing and how your
2 comments will be considered. Following that, we'll outline
3 the procedures under which we will take your comments and
4 describe what will happen -- happen after tonight's hearing.
5 And then it'll be time to hear your comments and we'll
6 respond to the majority of tonight's time -- we will spend
7 the majority of tonight's time listening to and recording
8 those comments.

9 Dave Fiedler will now provide some background
10 information. So, Dave, come on up.

11 MR. FIEDLER: Thank you, Jim. Good evening. The
12 Drinking Water and Environmental Health Division is
13 responsible for ensuring that public water supplies serve
14 water meeting state drinking water requirements. The law
15 governing those responsibilities is the Michigan Safe
16 Drinking Water Act, Public Act 399 of 1976. We are here for
17 a public hearing on the proposed revisions to drinking water
18 standards, water supply sampling, public notification, and
19 laboratory provisions of the administrative rules, called
20 the Supplying Water to the Public, Parts 1 to 28.

21 The proposed amendments to the administrative
22 rules we are discussing today are state specific revisions
23 that go beyond federal regulations. While the U.S.
24 Environmental Protection Agency has established an
25 unenforceable lifetime health advisory level for total PFAS

1 and PFOA, many academia, health officials, and the Agency
2 for Toxic Substances and Disease Registry deem this advisory
3 level is too high or nonprotective. In addition, the lack
4 of an enforceable standards for PFOS and PFOA and other
5 commonly found PFAS chemicals impairs EGLE's ability to take
6 enforceable actions to protect human health and the
7 environment.

8 EGLE's proposed rule revisions establish
9 enforceable drinking water standards and monitoring
10 requirements for several per- and polyfluoroalkyl
11 substances, commonly referred to as PFAS. Notable rule
12 revisions include: Establishment of maximum contaminant
13 levels for seven PFAS; establishment of sampling
14 requirements for community and nontransient noncommunity
15 water supplies; public notification requirements for water
16 supplies that exceed a maximum contaminant level or do not
17 monitor as required; criteria for certifying drinking water
18 laboratories for PFAS analysis.

19 When drafting the proposed revisions, EGLE
20 considered data and recommendations made by the Michigan
21 PFAS Response Team or MPART, MPART's Science Advisory work
22 group, and numerous stakeholders including, but not limited
23 to, environmental organizations, water industry
24 representatives, public health professionals, and citizens
25 groups.

1 MR. OSTROWSKI: Okay. Thanks, Dave. And our
2 slides there. Okay. So I got a few more pages to read
3 here, so bear with me. All right. Now, I will explain the
4 rule making process and how your comments will be used. In
5 order for the rules to be adopted, the Department must
6 follow the procedures set forth in the Administrative
7 Procedures Act, Act 306 of 1969. The purpose of today's
8 hearing is to give anyone interested in the proposed rules
9 an opportunity to provide information the Department can use
10 in making possible changes to the draft rules. We are here
11 tonight to receive public input on these proposed changes
12 and intend to better protect public health by establishing:
13 PFAS drinking water standards, PFAS sampling requirements,
14 PFAS publication notif- -- public notification requirements,
15 PFAS laboratory certification criteria.

16 The Notice of this Public Hearing was published in
17 three newspapers of general circulation: The Ann Arbor
18 News, The Grand Rapids Press, and The Marquette Mining
19 Journal on December 12th, 2019. It was also published on
20 January 1st, 2020 in The Michigan Register, and posted on
21 the EGLE calendar beginning on December 16th, 2019. Copies
22 of the Notice of Public Hearing, Regulatory Impact
23 Statement, and proposed rules have been made available on
24 the EGLE and Michigan Office of Administrative Hearings and
25 Rules web sites and upon request.

1 As you came in, you were given the opportunity to
2 fill out an attendance card which I already mentioned. We
3 request that everybody fill out a card and indicate if you
4 would like to make a comment. We will use these cards to
5 call upon those who want to make a statement today. And to
6 ensure that the hearing is conducted in a fair manner, we
7 are going to follow these steps.

8 I will call on those who have indicated on the
9 cards that they would like to speak, in the general order in
10 which the cards were turned in. When this has been
11 completed, and if time permits, I will ask if anyone else
12 would like to make a statement. When your name is called,
13 please come to the microphone and speak directly -- that
14 microphone right there (indicating) -- speak directly into
15 the microphone, and make your statement. If you have
16 written comments or materials that you would like to
17 present, please hand them to me as you come to the table.
18 Before you begin your comments, please state your name and
19 any group or association you may represent. And if you
20 would, please spell your name as well, that way our court
21 reporter can make sure she gets it correctly in the
22 transcripts.

23 We have limited time tonight and want to be fair
24 and allow everyone an opportunity to speak. Therefore, each
25 person indicating they want to speak will be given three

1 minutes to make their comments and I will indicate when you
2 have one minute left. At that time, please begin wrapping
3 up your comments and end within the allotted time. If need
4 be, I will indicate when your time has ended, so I'll let
5 you know that.

6 Please be respectful to others and do not
7 interrupt a speaker. Please understand the purpose of the
8 hearing today is to provide an opportunity to receive and
9 listen to your comments only; the hearings process does not
10 allow for open discussion or questions about the proposed
11 rules. EGLE staff will not be responding to questions or
12 comments during the hearing. However, staff are available
13 in the lobby to answer your questions now and after we
14 adjourn, and they will also be there throughout the hearing
15 as well so if you need to step out and ask questions, you
16 can do that.

17 So how will the information be used? The hearing
18 is being recorded and your comments will become part of the
19 information the Department will consider when finalizing the
20 proposed rules. You will have until Friday, January 31st to
21 submit your written comments. Your agenda contains
22 instructions on where to send the written comments if you
23 did not bring them with you tonight. So that agenda you
24 received when you walked in, if you look on there there's an
25 e-mail box to send them to. If you need a copy of it, you

1 can get them at the front desk there.

2 Following the close of the public comment period
3 on January 31st, we will review all written and verbal
4 comments and prepare an Agency Report which summarizes who
5 is in favor of the draft rules and who is opposed to them.
6 It will also contain an explanation of what additional
7 changes EGLE will be making to the draft rules. This Agency
8 Report and the final proposed rules will then be sent to the
9 Environmental Rules Review Committee which provides
10 stakeholder oversight of the Department's rulemaking. This
11 12-member committee will vote to approve, approve with
12 changes, or reject the rules. If the Committee approves the
13 rules, they move forward to the Joint Committee on
14 Administrative Rulemaking or JCAR. And JCAR is a bipartisan
15 legislative committee made up of five house and five senate
16 members and they will provide legislative oversight of the
17 rulemaking process. They can hold hearings on the rules and
18 can also object or ask the agency to make changes to the
19 rules.

20 If the Environmental Reviews -- if the
21 Environmental Rules Review Committee approves with
22 modification or rejects them, they must submit a notice of
23 objection to EGLE explaining their decision. If EGLE cannot
24 resolve the issues, then EGLE submits a written finding to
25 the Governor, and if the Governor agrees with EGLE, then the

1 rules proceed onward to JCAR. If the Governor does not
2 agree with EGLE, the rules are withdrawn.

3 If the rules are not opposed by JCAR, then they
4 will be filed with the Secretary of State and will take
5 effect seven days after being filed. You can follow along
6 the rulemaking process, step-by-step by going to the
7 Michigan Office of Administrative Hearings and Rules' web
8 site.

9 Okay. Thank you for your attention and I will now
10 begin calling the names of who have indicated they would
11 like to make a statement. All right. So thanks for hanging
12 in there everybody. So I am going to begin calling off
13 names and I've got my phone here to track time so I'm not
14 being rude in looking at my phone, I'm using it for the
15 timer. And like I said, we do five-minute, or three-minute
16 increments and I'll let you know, kind of break in and let
17 you know you have one minute left or I'll give you the
18 one-minute sign just to kind of keep things moving along.
19 And so, yeah, that's how we'll operate. All right.

20 So Dave's handing me the cards and the first
21 person we have up is Sandy Wynn-Stelt. Sandy, if you want
22 to come on up? Come on down and right in front of the mic.
23 And, again, remember just state your name and if you spell
24 it, I'd appreciate it. And you can -- let me make sure that
25 microphone is on. Sorry.

1 MS. SANDY WYNN-STELT: I got it.

2 MR. OSTROWSKI: Oh, you all right?

3 MS. SANDY WYNN-STELT: I know how to start a
4 party, don't I?

5 MR. OSTROWSKI: All right. All right. There you
6 go. This is really tight here, so --

7 MS. SANDY WYNN-STELT: I've got a big enough
8 mouth. I probably don't need it.

9 MR. OSTROWSKI: Well --

10 MS. SANDY WYNN-STELT: Trust me.

11 MR. OSTROWSKI: All right. Now we're good.

12 SANDY WYNN-STELT

13 MS. SANDY WYNN-STELT: All right. Hello. My name
14 is Sandy Wynn-Stelt and I am a resident of Belmont.

15 MR. OSTROWSKI: Sandy? I'm sorry. Can you spell
16 your name, too? I'm sorry.

17 MS. SANDY WYNN-STELT: Yes. Sandy, S-a-n-d-y, the
18 last name is Wynn-Stelt, W-y-n-n hyphen S-t-e-l-t. First, I
19 want to thank you all for the work you have done in this
20 issue. I realize that this PFAS contamination kind of came
21 out of nowhere and caught a lot of people off guard and you
22 guys have really stepped up at the state level to work on
23 that and it really is appreciated from everyone.

24 My neighbors and I two years ago set a goal to see
25 the MCLs lowered and -- for this entire class of chemicals

1 and so I'm really pleased to see the work that has been done
2 in this area and the recommendations that were put out by
3 the science panel. I think addressing more than just simply
4 the PFOS and PFOA is very important and by addressing seven
5 out of the thousands of chemicals in this class is certainly
6 a step in the right direction. The state of Michigan is
7 joining several other states in addressing this issue. As
8 you know, others in New York, New Jersey, Vermont,
9 Massachusetts just to name a few are working on their own
10 standards since the federal government seems to refuse to
11 act on this.

12 While I'm concerned that some of the MCLs that
13 have set forth in this rule may not be enough, and that some
14 of the levels are too high, I really think it's important
15 that we move forward with this opportunity while we have it
16 and so I'm very much in favor of these rules. I do
17 recognize that there's many people who feel that the cost of
18 implementing this is too high and it will be a burden to
19 some of the industries and some of the municipalities, but I
20 think it's important that we as a state recognize that cost
21 is measured in a variety of ways.

22 The effects of these chemicals on human health has
23 been established in studies: ulcerative colitis, kidney and
24 testicular cancer, thyroid problems, autoimmune diseases,
25 reproductive issues are just a few, and those diseases

1 themselves are costly. They're costly in time away from
2 work, in medical costs, in disability claims, and emotional
3 tolls. These chemicals bioaccumulate and allowing higher
4 rates in our waters may place some of us that have already
5 been contaminated at risk. I more than probably most people
6 can attest to the costs that these chemicals can have in
7 your life and a cost that is very difficult to measure in
8 dollars.

9 We need to stop looking at this problem through a
10 short-term risk benefit analysis and recognize that the
11 long-term effects of our decisions. We have an opportunity
12 to continue to be leaders and assuring the health of our
13 citizens and we can start by establishing strong standards
14 for this class of chemicals. This is one step in a right
15 direction. It's one step in a long journey, however. And I
16 look forward to working with all of you in the future to
17 make more changes as we go. Thank you.

18 MR. OSTROWSKI: Thank you. All right. Okay.
19 Thank you. Okay. I'm going to read off who's up next and
20 also who's on deck, that way you can prepare. All right.
21 So the next person coming up is Sue Popma, and after her is
22 going to be Cyndi Roper. So, Sue? And, remember, say your
23 name and spell it for us. Thanks.

24 SUE POPMA

25 MS. SUE POPMA: Sue Popma, S-u-e P-o-p-m-a. I

1 live in Rockford. The proposed state standards for PFAS are
2 certainly much better than the federal guideline level of 70
3 parts per trillion, and the state of Vermont has even
4 stronger guidelines than what's proposed for Michigan from
5 what I understand. However, Michigan needs to be the leader
6 in setting the highest standard. We don't need a standard
7 that is a good start at stopping the chemical damages in
8 Michigan. We need to stop the chemical damage. We pay
9 taxes to the government to keep us safe and make good
10 decisions for us. We are depending on you to keep us safe.
11 Please be the leader and set the highest standard. Thank
12 you for your time and attention.

13 MR. OSTROWSKI: Thank you. All right. Okay.
14 Cindi Roper and then who's up next, Theresa Chaplin, yeah.

15 CYNDI ROPER

16 MS. CYNDI ROPER: Good evening. My name is Cyndi
17 Roper. It's C-y-n-d-i R-o-p-e-r. And I'm the Michigan
18 senior policy advocate for the Natural Resources Defense
19 Council. On behalf of our more than three million members
20 and online activists including over 69,000 here in Michigan,
21 NRDC appreciates the opportunity to comment on the Michigan
22 Department of Environment, Great Lakes and Energy proposed
23 MCLs for PFAS.

24 We laud Governor Whitmer for her leadership in
25 advancing these standards to reduce PFAS in drinking water

1 rather than waiting for the U.S. EPA to act. And we have a
2 special thanks for the staff at both EGLE and at MPART for
3 the work that they've done to try to address the issues
4 associated with PFAS contamination here in Michigan, and
5 specifically for the rules that have been put forward.
6 However, the Natural Resources Defense Council has serious
7 concerns about the proposed standards. We raised these
8 concerns with the Michigan PFAS Action Response Team after
9 its science advisory work group released the health-based
10 values upon which Michigan's proposed MCLs are based.

11 We will be submitting detailed comments, written
12 comments, focusing on three major shortcomings within the
13 proposed rules. First, inadequate consideration of the best
14 available current science to ensure the standards protect
15 Michigan's most vulnerable populations like developing
16 fetuses, infants, children, pregnant women, and nursing
17 moms. Two, the absence of class-based regulations that
18 fully protect individuals from all types of PFAS exposure
19 and drinking water, including exposures to mixtures of
20 multiple types of PFAS. And, three, the omission of a total
21 PFAS MCL, requiring water systems that detect PFAS to
22 install water treatment that will remove a broad range of
23 PFAS substances instead of focusing on only a few at a time.

24 The Natural Resources Defense Council has played a
25 leadership role in advancing solutions to the PFAS crisis

1 through our efforts at the nation's capital and in states
2 throughout the U.S. In Michigan we released a PFAS and
3 drinking water report last March and called on EGLE to issue
4 emergency rules with standards that would best protect
5 public health. Although emergency rules were not issued
6 that would have been effective immediately, it was our hope
7 that EGLE would produce MCLs using a class-based approach.
8 This has not happened with the current proposal.

9 MR. OSTROWSKI: One minute.

10 MS. CYNDI ROPER: Given the extensive PFAS
11 contamination in Michigan, EGLE should not attempt to
12 balance industry's acceptance of its proposed drinking water
13 standards against protecting public health. It's time for
14 industry to accept its responsibility for chemical
15 contamination resulting from their successful lobbying
16 efforts that allow chemicals to be released without proving
17 they are safe, that block health protective standards, that
18 protect them from liability for their pollution and more.
19 This is your opportunity to ensure the water we drink will
20 not harm us, especially our most vulnerable populations. We
21 are counting on you. Thank you again for your efforts.

22 MR. OSTROWSKI: Okay. Thank you. Theresa Chaplin
23 and then Jaime Fleming after that.

24 THERESA CHAPLIN

25 MS. THERESA CHAPLIN: Yes. I'm Theresa Chaplin,

1 T-h-e-r-e-s-a C-h-a-p-l-i-n. And although I live in
2 Plainfield Township, I am not here as a member of that
3 community. I'm here as a parent of a child that has
4 suffered with an autoimmune disease for half of her life.
5 And we don't truly know she has lupus for 17 years and we
6 don't know what triggers a flare-up. She's currently in a
7 flare that started in September of 2018 and has not been
8 able to work ever since. So when you want to look at she
9 did not pay taxes for a year and a half. So it's also --
10 it's not just the cost of remediation, but what happens with
11 sick people? What is it costing the state? So I commend
12 extremely low levels of limits until we have more science
13 that tells us what triggers some of these things, but I
14 would suggest a provision that would call for the state to
15 periodically review its limits based on science revealed in
16 a period of time, let's say a year, to see if they need to
17 be revised downward. And I also support holding
18 manufacturing organizations responsible for what they
19 discharge into our waste system. Thank you.

20 MR. OSTROWSKI: Thank you. Okay. Jaime Fleming,
21 and then Mike McIntosh after that.

22 JAIME FLEMING

23 MS. JAIME FLEMING: My name is Jaime Fleming.
24 It's J-a-i-m-e F-l-e-m-i-n-g. I work for the city of
25 Wyoming as a laboratory manager for the Utilities

1 Department. I am also the chair elect for the Michigan
2 Section of the American Waterworks Association and I'm here
3 today in that capacity.

4 I was able to participate in the rulemaking
5 process by the stakeholder listening sections. I
6 appreciated the transparency, active listening, and
7 cooperative spirit on the part of EGLE's representatives.
8 Throughout the conversations it was evident that everyone in
9 the room, no matter the group they represented, was
10 approaching the rules from the perspective of what is in the
11 best interest of public health. The listening sessions were
12 conversational with open dialogue, not just about the rules
13 at hand but also stretching into the tough questions and
14 challenges that remain ahead of us. As for the feedback
15 given on the rules, much of what was brought to the table
16 from the stakeholders and the sessions I attended was
17 reflected in the final form. We understand that it is not
18 possible to create rules that are a perfect fit for every
19 interested group, but the proposed rules appear to be
20 straightforward and follow a format that utilities are
21 familiar with as they utilize existing regulatory patterns
22 for other organic compounds.

23 Additionally, there are key places where the rule
24 language is appropriately flexible. For instance, in the
25 allowable treatment and technologies or for approval of

1 alternative testing methods. Because our understanding of
2 the science is --

3 MR. OSTROWSKI: You have one minute.

4 MS. JAIME FLEMING: -- developing alongside these
5 rules and will continue after they are in place, this
6 flexibility is crucial.

7 As many voices have shared, there are some key
8 points that must remain in the forefront of the broader PFAS
9 conversation. Michigan has done great things through the
10 work of MPART. Their efforts have put public health first
11 while being grounded in science. Our understanding of PFAS
12 is unfolding and will continue to unfold well past the
13 implementation of rules for seven of the compounds. It is
14 imperative that we continue to approach PFAS in a science
15 forward way always focusing on what is in the best interest
16 of public health. Protecting public health comes with a
17 price tag and we know that drinking water professionals
18 across the -- across the state take up this responsibility
19 with the utmost of care and dedication. Make no mistake,
20 the additional cost of requirements for monitoring and in
21 some cases implementing treatment is not insignificant,
22 especially for small systems and in the end water supplies
23 must balance competing priorities and most often it falls to
24 rate payers to fund these efforts.

25 As we move forward with these rules and with

1 others already in place, the avail- -- availability of
2 funding sources must continue to be an ongoing important
3 discussion in order to provide safe drinking water in an
4 affordable, equitable way. Creating drinking water
5 stands- -- standards for PFAS is just one piece of the PFAS
6 puzzle. These standards cannot stand alone without real,
7 enforceable protections for our source water. We must find
8 a way to break the PFAS cycle. Michigan's leading the way
9 and we look forward to the continuation of that work.

10 MR. OSTROWSKI: Okay. Thank you. I just want to
11 remind you that if for some reason you don't get enough time
12 to do your complete comment, if we have time afterwards I'll
13 call people back up if you want to come back up. Okay.
14 Mike McIntosh, thank you, and Kim Conner is up after Mike.
15 Go ahead.

16 MIKE MCINTOSH

17 MR. MIKE MCINTOSH: Mike McIntosh, M-i-k-e
18 M-c-I-n-t-o-s-h. I'm a member of Neighbors for
19 Neighborhood, a nonprofit that started in Rockford and I'm a
20 member of CCRR as well.

21 And to start with, I just want to say that my
22 experience is that EGLE has some of the hardest working
23 people around. I've seen that over the past few years. And
24 I would say as far as the standards, let's adopt them so
25 they can be enforced, but let's not stop there. Let's

1 continue. I think the -- the ones that we don't know enough
2 about are guilty by association. And we -- you know, if we
3 have to wait 'til we see how human health is harmed, we've
4 waited too long. So when we can class things, it seems to
5 me that we could at least class PFOA and PFOS together. A
6 lot of other states does do that. Vermont has five that
7 they -- that they class together for 20 parts per trillion.
8 Michigan for just those two is 24. I also think we need to
9 address the people who have well water. And I think
10 industry needs to accept the cost of implementation of their
11 products and build that into their pricing structure so that
12 these sorts of contaminants are -- are dealt with in a
13 healthy way.

14 MR. OSTROWSKI: Okay. Thank you. All right. Kim
15 Conner's up next and after Kim, Scott Harvey.

16 KIM CONNER

17 MS. KIM CONNER: Hi. Thank you. My name is Kim
18 Conner, K-i-m C-o-n-n-e-r. I have been a Rockford resident
19 since 1979 and just recently moved to Cedar Springs in the
20 last four years and we discovered PFAS in our well also in
21 Cedar Springs. I wanted to come up here to say that I do
22 encourage going forward not just to have municipality water
23 included in these new laws, but to have well water as well.
24 That's all I have to say. Thank you.

25 MR. OSTROWSKI: Okay. Thank you. All right.

1 Scott Harvey is up next, he's ready, and after that is Larry
2 Campbell.

3 SCOTT HARVEY

4 MR. SCOTT HARVEY: Scott Harvey, S-c-o-t-t
5 H-a-r-v-e-y. And today on -- on my card I said I'm
6 representing the Harvey Family. I have 38 grandchildren,
7 all of them have lived within the Plainfield Township area
8 and the discovery three years ago or two and a half years
9 ago of these compounds in the water, having been the
10 township clerk for years, I had no idea. I did have a -- I
11 did have a knowledge that there were VOCs in the water and
12 that those -- that water had been clean for years. The
13 contamination is coming from the landfill on Four Mile Road
14 and potentially coming from Boulder Creek across the river.

15 In the 80's the water was started to be recognized
16 as water that could not be consumed by the well, the wells
17 along the plume coming from the Four Mile landfill. So the
18 township went into an agreement with Waste Management to put
19 an air stripper in to clear the VOCs out of that water.
20 First question I asked when I heard what the potential
21 health risks were for the people drinking the PFAS after it
22 was mentioned that it was in the water on the House Street
23 area and in the water, the municipal water of Plainfield
24 Township, every one of those health issues was present in my
25 family and I was shocked to my core with the exception of

1 the testicular cancer. Since then, I have been researching
2 all this all the way through the C8 study and now the
3 consent decree that is going to be possibly signed.

4 But what I prepared was kind of a -- just a
5 chronology of how they found the contamination in the water
6 in the 80's. It took to the mid-90's to get the VOCs
7 stripped out, but none of the PFAS was being stripped out of
8 that. So the people of Plainfield Township potentially were
9 drinking excessive amounts of PFAS in their municipal
10 drinking water for decades. And the issue I have is if --
11 if we don't have strong -- we don't have strong MCLs, that
12 that bioaccumulated in those folks and we're not going to
13 get that cleaned out of their systems. So I'm recommending
14 that you also push for additional health studies for every
15 resident of Plainfield Township and all those contaminated
16 wells from the plumes coming from House Street, the North
17 Kent landfill. And then I did send this to you all in an
18 e-mail format or as attachment to an e-mail, but I can leave
19 it with you.

20 MR. OSTROWSKI: That'd be great.

21 MR. SCOTT HARVEY: Okay. Thank you.

22 MR. OSTROWSKI: Yeah. Just to remind everybody
23 that if you do have any written comments or written
24 materials you would like to submit, you can give them to me
25 and we'll keep them here with us. Also, on your agenda

1 eating a tire (indicating). How about if we ground it up?
2 Ground this tire up into granule pieces, crumbed rubber, if
3 you will, and you were forced to eat a tablespoon a day or a
4 week for the rest of your life? At the current accepted
5 levels, this is an example of the type of exposure a person
6 can be subjected to. Now, think about feeding your
7 children, grandchildren, and great grandchildren the very
8 same cocktail for 15, 20, 30 plus years. Michigan has the
9 most contaminated sites of any state in the country.
10 Because of this, if this contamination could glow, Michigan
11 would be lit up like a Christmas tree.

12 Unfortunately, I feel, excuse me, my family and I
13 have been affected by all the illnesses mentioned by Sandy
14 Wynn-Stelt. If you care about your children, grandchildren,
15 and great grandchildren, I implore the PFAS MCL standards to
16 be set at zero parts per trillion. No exceptions.
17 Unfortunately, I fear there will be a sequel to the movie
18 Dark Waters. It will be set right here in Kent County and
19 Michigan and it will be called Darker Waters. Thank you.

20 MR. OSTROWSKI: Thank you, sir. Okay, next
21 commenter is John Smallfield and after John is Jennifer
22 McKay. So is John here? All right. I'll put it in the
23 back and if he stepped out, I'll call his name at the end.
24 All right. So next is Jennifer McKay. Jennifer? And after
25 Jennifer it's Anne Marie Hertl -- Hertl (pronouncing). So,

1 Jennifer?

2 JENNIFER MCKAY

3 MS. JENNIFER MCKAY: Thank you. My name is
4 Jennifer McKay, J-e-n-n-i-f-e-r M-c-K-a-y. Thank you for
5 the opportunity to provide comments tonight. I'm here on
6 behalf of Tip of the Mitt Watershed Council.

7 The Watershed Council supports the EGLE's efforts
8 to establish a rule to create a maximum contaminant level
9 for PFAS which is a vital step needed to protect the public
10 health of Michigan citizens. However, there's room for
11 improvement in the scope and protectiveness of the proposed
12 MCL. We encourage EGLE to make it more comprehensive and
13 protective of the public health. Specifically, we have
14 concerns with the following: Limiting MCLs to only seven
15 PFAS, the additive and synergistic effects of PFAS, and new
16 and emerging scientific findings.

17 With limiting the MCLs to seven PFAS, while there
18 may be limited toxicity information for PFAS outside the
19 more studied contaminants proposed for the MCL, a growing
20 body of scientific research indicates that the class
21 collectively poses similar threats to human health and the
22 environment, and further that their effects are additive.
23 As a result, an MCL for only seven PFAS will not
24 sufficiently protect against the risks from the PFAS class
25 of chemicals. Therefore, we -- we recommend a PFAS class-

1 based MCL. In addition, regulating the class is only -- is
2 the only way to avert the cycle of regrettable substitution
3 in which one, while a studied chemical, is replaced with a
4 similar but poorly studied alternative. Ultimately, EGLE
5 should have a goal of an MCL of zero for the entire PFAS
6 class. In the interim, we recommend MCLs at least be
7 developed for the other PFAS contaminants detected in the
8 straight, state's drinking water.

9 For additive and synergistic effects, PFAS
10 commonly co-occur in drinking water. When multiple
11 substances are present, the potential risk must be evaluated
12 from the combined exposure. Evaluating a mixture of
13 chemicals based only on individual health-based values is --
14 cannot provide an adequate margin of safety. Our concern is
15 amplified by the potential additive and synergistic effects
16 of the seven PFAS not only with one another, but the
17 thousands of other PFAS in the environment.

18 MR. OSTROWSKI: You have one minute.

19 MS. JENNIFER MCKAY: As a result, we recommend
20 employing additional uncertain T-factors to account for the
21 high potential of additive effects as well as the limited
22 data on these effects.

23 And new scientific findings. Drinking water
24 guidelines across the country generally go down with -- by
25 new scientific findings on PFAS health effects. We urge the

1 state to commit to revisiting these standards by a date
2 certain to ensure Michigan standards incorporate the best
3 available scientific data. And last, we urge the state to
4 concurrently establish groundwater quality standards as
5 groundwater is currently an important source of drinking
6 water in Michigan.

7 Again, we commend the state for their taking steps
8 towards regulating certain chemicals within the PFAS family
9 to protect human health and thank you for the opportunity to
10 comment.

11 MR. OSTROWSKI: Thank you. Okay. Anne Marie
12 Hertl and then after that Robert Allen.

13 ANNE MARIE HERTL

14 MS. ANNE MARIE HERTL: Anne Marie Hertl, A-n-n-e
15 M-a-r-i-e H-e-r-t-l. My name is Anne Marie Hertl and I'm
16 the West Michigan regional coordinator for the Michigan
17 League of Conservation Voters and I'm here to urge you to
18 move quickly to set a strong standard for PFAS that is based
19 on the best available science and protective of public
20 health. I do want to show some gratitude. Thank you for
21 hosting a meeting in Kent County. Thank you for hosting
22 meetings across the state. I also want to show my
23 appreciation for all the elected officials that are here
24 tonight. You hear directly from impacted citizens from the
25 area. So I appreciate that time coming in from Lansing.

1 In my role at Michigan LCV, I'm fortunate to work
2 with a lot of folks who are impacted by environmental
3 issues. I'll also share that my experience over the last
4 couple of years of working with front line impacted citizens
5 with PFAS-contaminated water, these are people who didn't
6 want to get into political activism. It wasn't a part of
7 the trajectory of their life but they're forced to do it.
8 It's impacting their -- their families, their children,
9 their neighbors in ways that they didn't imagine. And I
10 just want to share my -- I guess my gratitude for them and
11 their dedication and commitment being people who just don't
12 give up and are really dedicating their -- their time and
13 their lives to making sure that other communities in
14 Michigan aren't going to face the same kind of tribulations
15 and challenges that they have been facing over the last
16 couple of years.

17 Also, I'd like to show some gratitude for and
18 appreciation for the nonpartisanship from our legislator.
19 We see that this is a nonpartisan issue. Across the aisle,
20 folks all over Michigan are negatively impacted by PFAS and
21 I'm grateful for the actions that our legislator has taken
22 as well as our Governor.

23 PFAS contamination impacts drinking water more
24 than 1.9 million Michiganders and we can't delay action on
25 protecting the health of our communities. We know PFAS

1 causes health impacts. We know where it's coming from which
2 is why the state must move swiftly to pass a standard that
3 is protective of our public health. Hearing those stories
4 firsthand from impacted citizens is really important and
5 Michigan really should be a leader on addressing the PFAS
6 contamination crisis. That will require strong standards
7 for these toxic chemicals. In fact, Michigan really should
8 have the strongest standards for PFAS in the country. Some
9 examples, they're in the right direction. The work that's
10 been happening is all in the right direction, but there are
11 some changes that could also be included including a class-
12 based approach to set a standard for the combined total of
13 the various PFAS chemicals instead of setting individual
14 limits, ensuring that standards are protective of our most
15 vulnerable populations -- we've already heard this from
16 other speakers -- and then basing the standards on the best
17 and most recent science. This is really important for the
18 state of Michigan to step up into this being a national
19 leader as a state, but also because the federal government
20 is dragging their feet and really refusing to get this work
21 done in a timely manner.

22 So please, let's encourage and show the support of
23 a lot of folks around the state that Michigan really can be
24 a leader and should be a leader in addressing and setting
25 the toughest standards in the country. Thank you.

1 MR. OSTROWSKI: Thank you. All right. So Robert
2 Allen, adjunct or ad- -- okay, Robert Allen, sorry, and
3 Richard Red-, Rediske, Rediske (pronouncing) is after that.

4 ROBERT ALLEN

5 MR. ROBERT ALLEN: At your service.

6 MR. OSTROWSKI: Riske (pronouncing). All right.
7 All right.

8 MR. ROBERT ALLEN: At your service. Thank you
9 very much and I appreciate your efforts on this issue. I am
10 a monthly donor of the Natural Resources Defense Council and
11 I have graduate work at Grand Valley in freshwater biology
12 and stream ecology and I'm also an adjunct there.

13 How the PFAS have impacted me: In Ottawa County,
14 Grand Haven, Robinson Township, and the Robinson Elementary
15 School. My kids, three of my kids attended Robinson
16 Elementary School 25 years ago. Now my nieces attend
17 Robinson Elementary School. They were given bottled water
18 when this was discovered. The school is -- has a -- a
19 one-square mile plume. It was built on top of a one-square
20 mile plume of PFA water. And I also taught a class there,
21 exercise class in the summer and allowed them to drink water
22 for that class. My nieces, my great -- my grand nieces'
23 mother said, "You cannot bring these plastic bottles here.
24 You have your own water bottle and you will take your
25 bot- -- your own water to school." And I have since found

1 out that Robinson Elementary School does recycle the plastic
2 bottle waters -- waters of bottle.

3 I also eat eggs from a farm that is over this
4 plume and of course hens drink water and I'm not sure what
5 that farm has done. But the residents, whoever live in --
6 on -- above this contaminated plume have been able to remedy
7 the situation by a cost of a \$200 filter system which
8 requires a \$50 annual filter replacement to bring the
9 contamination under 70 parts per trillion and I think that's
10 good news. Thank you very much.

11 MR. OSTROWSKI: Thank you, sir. Okay. Richard
12 Rediske and then after that A.J. Birkbeck.

13 RICHARD REDISKE

14 MR. RICHARD REDISKE: Okay. My name is Richard
15 Rediske, R-i-c-h-a-r-d R-e-d-i-s-k-e. I'm speaking on
16 behalf of the Wolverine Community Advisory Group. The
17 Wolverine Community Advisory Group represents concerned
18 citizens that have been impacted by PFAS contamination from
19 the Wolverine World Wide Tannery in Rockford, Michigan, and
20 their disposal sites at House Street and the Wolven and
21 Jewel neighborhoods. The contaminated areas cover 25 square
22 miles and PFAS compounds have been detected in 900 plus
23 residential wells and in the Plainfield Township municipal
24 water supply which serves 40,000 people. Given the urgency
25 of the PFAS crisis and the need for drinking water standards

1 that are protective of human health, we support the maximum
2 contaminant levels that are currently recommended by MPART
3 and feel these values are an important first step in the
4 restoration, the protection of our water supplies.

5 Since the science related to PFAS is rapidly
6 evolving, we recommend that future consideration be given to
7 the following items. PFAS is a class of chemical compounds
8 that includes 40,000 different chemicals and we feel there
9 should be regulat- -- we should be regulating PFAS as a
10 class of chemicals. The regulation of individual PFAS
11 compounds in the cases of the seven MCLs proposed by MPART
12 is not protective against the likelihood of additive and
13 synergistic effects from exposure to chemical mixtures that
14 are encountered in the environment, and water testing indeed
15 usually shows that individuals are exposed to multiple PFAS
16 compounds and Michigan should establish a future value for
17 total PFAS and for classes such as C8 and C6.

18 Please consider the work that's being done by the
19 state of Massachusetts and they proposed a standard of -- an
20 MCL of 20 parts per trillion for total PFAS compounds.

21 Michigan should endeavor to reflect the best
22 science in its assessment of drinking water standards and
23 the ones that are protective of human health and they should
24 be given consideration to the most vulnerable populations:
25 fetuses, children, pregnant women, other susceptible

1 populations such as the elderly, individuals suffering
2 chronic illness and suppressed immune systems are more
3 sensitive to contaminants due to their physiological
4 development and differences from healthy adults.

5 MR. OSTROWSKI: One more minute.

6 MR. RICHARD REDISKE: Okay. The Wolverine
7 Community Advisory Group appreciates this opportunity to
8 comment on these important legislation. Setting MCLs for
9 the seven PFAS compounds is overdue and in the absence of
10 federal safeguards, Michigan must act to protect drinking
11 water and reduce public health risk. The widespread
12 occurrence of PFAS chemicals in Michigan's drinking water,
13 their persistence, their ability to bioaccumulate and
14 circulate a blood serum underscore the need for a swift
15 adoption of these proposed MCLs. Thank you.

16 MR. OSTROWSKI: Thank you. Okay. A.J.
17 Birkbeck -- oh, thank you, sir. All right.

18 A.J. BIRKBECK

19 MR. A.J. BIRKBECK: Greetings. My name is A.J.
20 Birkbeck spelled A-J and then B-i-r-k-b-e-c-k. I'm with the
21 Rockford CCRR. We're the group that first discovered and
22 brought to the attention of EGLE, DEQ at the time, the
23 contamination in north Kent County. I'm a member of the
24 Wolverine Community Advisory Group, of MPART's Citizen
25 Advisory Group, as well as managing director of the PFAS

1 Alliance which is a group of impacted communities across the
2 state and we provide support and assistance to those
3 communities.

4 I wanted to echo what I've heard several people
5 say here, to thank the folks at EGLE, DHHS, and MPART for
6 taking action in the -- the void and black hole that is our
7 federal government in dealing with PFAS. It's very much
8 appreciated and we'd like to see this process continue.

9 With respect to the seven compounds that are
10 proposed to be regulated, there are issues associated with
11 some of the thresholds that are set, but I think that it's
12 important not to let perfect get in place -- get in the way
13 of good. And I think what we have is, is some good solid
14 science behind the thresholds that are set.

15 I did want to raise, however, though, both to --
16 both in comment and to other folks who want to comment that
17 while new science is obviously going to be developed with
18 respect to these seven constituents, there are limitations
19 placed on the science that the state of Michigan can
20 consider due to some legislation that was passed in lame
21 duck -- duck under the Snyder administration and so we have
22 to deal with that as far as -- as considering science,
23 moving forward with respect to the use of some of these
24 drinking water standards for cleanup criteria.

25 I also think that it's very important as several

1 people have said to have a total PFAS standard. Again,
2 concurrent with our public comment period, state of
3 Massachusetts has public comment that started December 27th.
4 They are utilizing a 20 part per trillion, as Dr. Rediske
5 said, total PFAS level for the PFAS constituents that
6 they're considering. I think it's worthwhile for the state
7 of Michigan to do that as well. I don't think that that
8 would be a process that would delay the current process and
9 I think we should get started on that as soon as possible.

10 Finally, we've heard a lot about well water, one
11 in four homes in Michigan gets their water from well water.
12 I realize that this particular standard -- the standards
13 that are being discussed, apply only to the, the larger
14 drinking water systems in excess of 13- or 1400 people. But
15 we need to have something in place to protect not only the
16 folks that are on well water, but what about all those that
17 are on smaller systems under 1300 and 1400? Again, I
18 realize that's not within the four corners of what we're
19 discussing here today, but there needs to be consideration
20 for all those people. I'm not even sure the percentage of
21 people. We know one in four drinks from well water, but
22 what is the percentage from systems that are smaller than
23 1300 or 1400? Because if we're approaching half the folks
24 in Michigan not being protected by these standards, then I
25 think we have a lot of work yet to do. Thank you very much.

1 MR. OSTROWSKI: Thank you. Okay. So for the next
2 person, Lonnie Riley, and then after that it'd be Caitlin
3 Loc. So Lonnie Riley? Not here? Okay. Caitlin? Caitlin
4 Loc? L-o-c, Loc? All right. I'll put your names over here
5 in case you're out in the hall. Andrew Fishback, I think.
6 Andrew? And then after Andrew, Deb Havens. Okay. Is that
7 Andrew?

8 MR. ANDREW FISHBACK: Yes.

9 MR. OSTROWSKI: Okay. All right. So, Andrew, go
10 ahead. Then after Andrew is going to be Deb. Okay.

11 ANDREW FISHBACK

12 MR. ANDREW FISHBACK: So my name is Andrew
13 Fishback and that's A-n-d-r-e-w F-i-s-h-b-a-c-k. I'm here
14 today representing the West Michigan Environmental Action
15 Council. I'd like to start by saying that I'm ecstatic to
16 see EGLE looking at a new MCL because it's very necessary.
17 The 70 parts per trillion that is established by the EPA is
18 based on evidence from before 2008 that is not complete and
19 could be up to 100 times of what is actually safe to
20 consume, so really happy to see some -- some work being done
21 on that.

22 That said, I would also really like to encourage
23 the state -- I do understand that this is not really within
24 the -- the parts of these rules, but I would like to
25 encourage the state to adopt a maximum amount of PFAS

1 permitted in production on a per year basis. PFAS are some
2 of the meanest, most persistent compounds and as of now the
3 only ways to really deal with PFAS contaminated soil is to
4 just remove it. And there are remedial measures being
5 developed, but there are a lot of logistic and efficacy
6 issues that are just nontrivial in the way of implementing
7 them. And these problems are only going to get accelerated
8 by climate change because right now what we're looking at in
9 the Midwest is an increase in the frequency and intensity of
10 precipitation events. So say you have a drum of PFAS
11 sitting on a hill and the rain is going to happen and
12 eventually the PFAS is going to leech into the soil and then
13 from the soil into either the groundwater and the aquifers
14 from which we get our water or into the surface water from,
15 again, which we get our water. And in addition to all that,
16 studies are currently suggesting that the atmosphere also
17 plays a role in transport and deposition of these chemicals
18 and that's not a role that we currently understand. And so
19 in the interest of caution, I think we need to move forward
20 with limiting the sources because in a situation like this
21 it makes more sense to -- it doesn't make as much sense to
22 invest in bullet proof vests instead of just taking the
23 bullets out of the gun. So --

24 MR. OSTROWSKI: Okay. Thank you. Thanks, Andrew.
25 All right. So next up is Deb Havens and then after that

1 Eric Piehl or Piehl (pronouncing).

2 MR. ERIC PIEHL: Piehl (pronouncing).

3 MR. OSTROWSKI: Piehl (pronouncing). Okay. So,
4 Deb, go ahead.

5 DEB HAVENS

6 MS. DEB HAVENS: Thank you. I'm Deb Havens,
7 that's D-e-b, and last name is H-a-v-e-n-s. I'm the
8 secretary of the Greater Grand Rapids Sierra Club Committee,
9 and I'm here basically to echo what we've heard so often
10 from other speakers. Our membership supports the
11 establishment of maximum contaminant levels that take into
12 account the cumulative impact of exposure to the seven
13 relevant compounds we've been mentioning here. On a
14 personal level, I've lived for 15 years in Plainfield
15 Township drinking municipal water and have suffered many of
16 the health impacts that have been discussed for those who
17 have lived in greater areas identified that were impacted by
18 Wolverine World Wide exposure, and firmly believe that there
19 should be testing for residents who are not directly
20 affected in those areas and that there are many people who
21 are deserving of being included in an examination of the
22 health impacts of this contaminant and I would appreciate
23 that that has been taken into consideration as well. That's
24 it. Thank you.

25 MR. OSTROWSKI: Thank you. Okay. Eric? Thank

1 in the document, MCL seems to refer to the maximum
2 contaminant level, but in the rules it also refers to
3 something completely different which I found out to be
4 Michigan Compiled Laws. So if anybody else out there cares,
5 that's Michigan Compiled Laws or maximum contamination
6 level, depending on whether it's got this long string of
7 numbers after it or not.

8 In the chart on parts 5 and 6, if I read it
9 correctly, in a particular location if you find PFAS you're
10 going to try to treat that so we bring the level down to the
11 specified level. You're not going to try to go lower. Like
12 if it's -- the level is six parts per trillion and you find
13 it at seven, your goal is to get it down to six and not --
14 not lower than that. Right? I'll take that offline. But
15 interestingly, I find it fascinating that the levels are six
16 parts per trillion to 400,000 parts per trillion. I find
17 that really interesting that you would do that. I assume
18 that's based on science somewhere. I'd love to hear your
19 sources, but I'll take those offline.

20 MR. OSTROWSKI: You got one minute.

21 MR. ERIC PIEHL: Okay. So I greatly enjoy your
22 draft rules. Go, please go do that. Make it so. And I
23 have buddies in Rockford and Plainfield Township that I know
24 would like to hear about progress on the PFAS and I'd love
25 to tell her that -- then that -- that there's concrete going

1 in, there's steel cans going in with activated charcoal, and
2 the pumps will be humming soon and stuff like that. I'd
3 love for them to hear it. Thank you for the hearing, the
4 transparency and best wishes keeping our drinking water safe
5 for us, our children, and our grandchildren. Thanks.

6 MR. OSTROWSKI: All right. Thank you, Mr. Piehl.
7 And, again, if you have, like, specific questions, we've got
8 some staff out in the resource area now and -- and later on,
9 too. You can feel free to ask them any specifics. All
10 right. So next, Lynn McIntosh and after Lynn is Gail
11 Mancewicz, Mancewicz (pronouncing).

12 MS. LYNN MCINTOSH: Mancewicz (pronouncing).

13 MR. OSTROWSKI: Okay.

14 LYNN MCINTOSH

15 MS. LYNN MCINTOSH: Lynn McIntosh, L-y-n-n
16 M-c-I-n-t-o-s-h, and I am here as a citizen and I am going
17 to speak from my head and my heart.

18 I don't think there's any need for sarcasm here.
19 I think we ought to be straightforward with each other. I
20 think it's a question of, like, how many life boats do we
21 put on the -- on the ship? I think about the Titanic and
22 that disaster and the calculations that went into how many
23 lifeboats do we really need? Oh, well, it'll work out.

24 This -- this is a situation as far as I can see,
25 especially after seeing the movie Dark Waters, this is a

1 secret that got out. This is a secret that leapt out in
2 West Virginia because one man worked very, very hard to
3 figure it out and he stuck with it and the same thing
4 happened in Michigan. This is a secret that leapt out here.
5 We weren't even supposed to know about these things. So
6 while we're caught saying this is emergent -- which the
7 companies love to use that word "emergent" -- they've been
8 studying it for years. This is urgent and urgency requires
9 action, it requires decisive action.

10 So I do thank you. I know you're walking a
11 tightrope here. You make them too low and you're going to
12 be sued by the companies, by these stakeholders. But the
13 standards that you're choosing, if I can quote Albert
14 Einstein -- I guess anybody can -- "As simple as possible,
15 never simpler." Well, I think as simple as possible would
16 be exactly what everybody has said here tonight.

17 And so while I thank you for your time, I commend,
18 and I have my own little chart here. I've been studying all
19 the other states this week and knowing what their numbers
20 are and I commend Massachusetts and Vermont, Rhode Island,
21 even New York for their courage. This is a time for
22 Michigan to be courageous. You can't blow an uncertain
23 trumpet and I feel that's exactly what's going to happen.
24 It's urgent. You don't sit and have a meeting about how
25 you're going to put the fire out. You take action. And so,

1 yes, I'm not going to pr- -- you know, propose that we get
2 in the way of these standards that you've worked hard on and
3 I appreciate the progress. But the moment they're
4 approved -- and I -- I won't share my words for any industry
5 or anybody who tries to talk you out of making them higher,
6 but the moment they're approved, that next morning I'm going
7 to call up Governor Gretchen Whitmer and I'm going to say,
8 "So, let's get going. We've got to improve them" because we
9 are behind the curve already. I have a -- I have been
10 studying and thinking too much.

11 MR. OSTROWSKI: You got one minute.

12 MS. LYNN MCINTOSH: Yeah. Okay. I want to just
13 mention one thing -- well, no, it's already been repeated --
14 about doing them as a class. Obviously that makes the most
15 sense and all these other people who have read more quickly
16 than I, they've -- they've communicated it. We're behind if
17 we don't see them as a class. Secondly, who are the
18 stakeholders? The stakeholders are those people whose lives
19 are at stake and they're not at the table. They're too
20 young, many of them. Some of them aren't born yet. And our
21 responsibility, all of us in this room -- and I tell you, I
22 bet for everybody who's in this room tonight there are 20
23 other people for each person here who would have liked to
24 have come; they have small children, they're busy. This --
25 this is a huge turnout if you add in all those people.

1 the work that's been done, but I would like to see us do it
2 as a class. And, yes, we do need to keep ongoing with --
3 keep up with the science. And like what Mr. Birkbeck said,
4 the lame duck session kind of nixed that science and we need
5 to get back to real science, current science, and keep
6 updated science. So as a class and use updated science
7 onward, and periodically go back and reevaluate, like, maybe
8 every five years or so and look at, oh, gee, did -- did the
9 science change on this, should we change our regulations?
10 It may cost more, but we're worth it. Human health is worth
11 every single penny that we put into it. We all have a right
12 to be healthy and to have access to good health care and
13 access to healthy water. Thank you.

14 MR. OSTROWSKI: Thank you. Okay. Winnie Brinks
15 and then after that is Andrew Blok.

16 WINNIE BRINKS

17 SENATOR WINNIE BRINKS: Hi. My name is Winnie
18 Brinks. I am the state senator for the 29th district right
19 here in Grand Rapids and surrounding areas. My name is
20 spelled W-i-n-n-i-e B-r-i-n-k-s.

21 I want to first of all thank MPART and EGLE as
22 well as previous employees in DEQ for the attention that
23 they have paid to this. I also cannot say enough positive
24 things about the citizens who originally basically broke
25 this story and brought this whole situation to our

1 attention, some of whom you've heard from tonight and are
2 much more eloquent than I am about talking about the impact
3 on the lives of my constituents and so many people that I
4 now know by first name who have more knowledge about PFAS
5 than nearly anybody in the legislature. And so I want to
6 thank them, and then also I want to thank folks in the media
7 who have made sure that the state has been put in a position
8 where we have been forced as a state government to pay
9 attention to this issue and to be much more responsive to
10 the constituents that we serve.

11 When this originally started coming to our
12 attention, the first thing that struck me about
13 conversations I had with my constituents and with many who
14 were contacting me from outside my district is the anger and
15 the disappointment with the reactions that they were getting
16 and the responses that they were getting from all levels of
17 the government, from federal all the way down to local,
18 including state folks. And I think that I can say to you
19 with great confidence that that situation has greatly
20 improved and I genuinely appreciate all of your efforts.

21 This kind of process tonight is a great
22 opportunity for us to fix some of those wrongs and to help
23 restore some of that faith in government in our obligations,
24 so I appreciate all of your effort toward that effort,
25 toward that end. I also want to say I appreciate the

1 expedited time frame for addressing this issue in terms of
2 creating these regulations and improving that time frame
3 compared to other chemical contaminants that need to be
4 addressed as well.

5 We often hear about these P- -- this family of
6 PFAS chemicals as a -- they are referred to as emerging
7 contaminants. Even when I first heard that, I -- it created
8 a little bit of cynicism in me because we have known about
9 these chemicals, some people have known about these
10 chemicals for many decades. They've understood the harm
11 that they've done and they have kept it from the people who
12 have been negatively impacted by them. And so basically
13 this just a -- a friendly term that they like to throw out
14 in order to pretend that nobody knew any better and now that
15 we know better, we will actually try to do better. And the
16 reality is that it just means that we are learning a lot
17 more about them and will continue to do so. And so I think
18 it would be foolish of us as a state to ignore the fact that
19 the more we learn about these chemicals, the more we
20 understand how much harm they can cause and every new piece
21 of information and research about them indicates that it
22 just continues to get worse. And so I think we would be
23 foolish to ignore that trajectory.

24 I know we can only regulate things using existing
25 science and our standard of proof is very high in order for

1 us to be able to defend ourselves as a state in terms of
2 what we require of any party that has anything to do with
3 this contamination or the fact that this is in our water or
4 any unit of government that has to treat the water and get
5 it out of it so that we can safely drink it. But I think it
6 would be ridiculous to not consider the science and the
7 direction that it's heading because we can see the direction
8 that it's heading.

9 And my message is simple. Like so many people
10 tonight, I urge us to take a look at these as a whole entire
11 class of chemicals. Again, it would be foolish for us to
12 ignore that those shorter chain molecules that are very
13 similar would not be harmful to people in a very similar
14 way. So while they may be slightly less harmful, I think it
15 does not take a rocket scientist or any kind of scientist to
16 understand that those things will also continue to cause us
17 harm. And when the industry refers to them as less harmful
18 alternatives, I think that's probably an accurate statement,
19 but the key there is that they are still harmful and we
20 should consider that as regulators and as lawmakers and
21 policymakers. And I would encourage, as everybody else has
22 said, to review these standards frequently using the most
23 recent science and to do everything we can to fight efforts
24 to not allow us to use the most recent science. Some folks
25 refers to bills passed in the previous session that caused

1 us to have difficulty using the most recent science in terms
2 of contamination cleanup levels, in terms of establishing
3 regulations that are stricter than federal, in which case
4 we, oddly enough, are lucky there is no federal standard on
5 this. So I encourage you to review those MCLs frequently
6 and review them for the entire class of chemicals.

7 But this is probably the most important thing I
8 want to communicate tonight. Every legislator and public
9 servant has taken an oath to uphold the constitution which
10 clearly states lawmakers' responsibilities to protect our
11 environment and our natural resources and to enact laws that
12 protect human health and all of the -- the health of all
13 the -- the creatures and the plants that depend on our --
14 our natural environment. As legislators we depend on your
15 good work at the Department to help us inform that policy
16 and those regulations and the laws that will pass. I urge
17 you to put strong and meaningful standards in front of the
18 legislature and use all of the power and authority that you
19 have in your positions that's available to you to ensure
20 that they pass and I will do the same. We owe it to all the
21 residents of our state to do better with this and all other
22 chemicals -- and we could talk about a lot of other things,
23 but tonight we'll stay focused. But we should never have to
24 learn these lessons the hard way. We should never have to
25 hear Sandy's story again or Tobin's story again or all of

1 the many faces of this tragedy in this -- this really
2 unfortunate situation that we found ourselves in.

3 So people expect this kind of protection for
4 things as basic as drinking water from their government.
5 Let's not disappoint them again. Thank you.

6 MR. OSTROWSKI: Okay. Thank you. Andrew, Andrew
7 Blok is next. And just to remind everybody, I only have a
8 couple more cards here. If you want to make a statement, go
9 ahead and grab one of these cards, fill it out and we'll
10 bring it up here and call your name off. Okay? And after
11 Andrew is Theresa Eisensweller, -shwiller. So, sorry. Go
12 ahead, Andrew.

13 ANDREW BLOK

14 MR. ANDREW BLOK: Yeah. Andrew Blok, that's
15 A-n-d-r-e-w B-l-o-k. And I'm glad to hear my concerns
16 already peat- -- repeated a couple of times recently, so
17 I'll be brief. Michigan's plan to regulate these individual
18 PFAS is a strong step in the right direction. However, I'm
19 worried water can meet each of these individual standards
20 and still be unsafe. I'm certain many would not drink water
21 that contained concentrations of all of these chemicals
22 just -- just below the proposed limits. I strongly ur- --
23 urge Michigan to enact these limits and then immediately
24 study and set a total PFAS standard in the near future much
25 like Massachusetts has done and other northeastern states

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1 are working on. PFAS ought to be regulated as a class and
2 standards should be updated regularly as our understanding
3 of PFAS grows. Thanks.

4 MR. OSTROWSKI: Okay. Thank you. Okay. Theresa
5 Emshwiller, sorry, and then after that is Dan Buyze. Go
6 ahead.

7 THERESA EMSHWILLER

8 MS. THERESA EMSHWILLER: Theresa Emshwiller, it's
9 T-h-e-r-e-s-a E-m-s-h-w-i-l-l-e-r. I'm here representing
10 my family. I don't have much to say, but watching the news
11 when the city of Parchment learned they had elevated levels,
12 the fear was heightened. They said, and I quote, that
13 "There was no safe level of safe PFAS or PFOA in drinking
14 water." Then in the exact same conversation the news
15 anchors would say that Grand Rapids did test positive but it
16 was well below the established safe levels. So my question
17 is, which is it?, and what am I supposed to think about that
18 when I have three young children drinking Grand Rapids
19 water? We bought an RO system for our kitchen sink but what
20 about the bathroom and the tub? And what about those who
21 can't afford to by an RO system? Which, by the way, we
22 couldn't afford, but felt that clean drinking water and
23 cooking water was a priority so we made it work. I would
24 encourage you to give Michigan the tightest regulations in
25 the country, especially considering the vastness of this

1 contamination and especially considering Flint. Thank you.

2 MR. OSTROWSKI: Thank you. Okay. Dan Buyze and
3 then we got a couple people that weren't here when I read
4 your name off earlier, so if Lonnie Riley wants to talk
5 next, then he can come up and talk next. Dan, go ahead.

6 DAN BUYZE

7 MR. DAN BUYZE: Okay. Dan Buyze, D-a-n
8 B-u-y-z-e. I'm a member of MPART's Citizens Advisory work
9 group. These standards must apply to well water and smaller
10 systems or we put thousands at risk. However, to do so the
11 standards must influence EGLE's work at contamination sites
12 and plume definition and cleanup. If we fail to do so, we
13 have no idea what potential future public water supplies we
14 may compromise. To have some standards at 70 parts per
15 trillion and larger -- and for the larger systems proposed
16 lower standards just does not make -- it makes no sense.
17 Thank you.

18 MR. OSTROWSKI: Thank you. Okay. I'm going to
19 call up a couple of people that might not have heard me
20 earlier, so Lonnie Riley. Lonnie, you want to make a
21 statement? Okay. Caitlin Loc? Caitlin here? And we've
22 also got John Smallfield. John Smallfield? All right.
23 Okay. I've also got some people that submit -- and this is
24 a call for anybody. So as all my cards, we still have time
25 tonight. If anybody would like to make a comment, please

1 could say a lot of things, but I kind of wanted to speak up
2 for some friends. It's too bad that the state is pretty
3 compartmentalized that well water isn't really part of this,
4 but it does dovetail. For some people that, you know, the
5 real estate market property values -- you know, if it comes
6 down to cost and the almighty dollar, you know, when we
7 went -- when we went looking for another house, you know, we
8 looked at one side of the street was municipal water, nicely
9 filtered, Plainfield Township, the other side was not. We
10 didn't even look over there, no interest in dealing with
11 that. Friends of ours who are in the plume under 70 parts
12 per trillion would love to get hooked up to the nicely
13 filtered township water. At this point it's probably not
14 available. I mean, who's going to pay for that? Do they
15 have to pay for that and not the polluter? So it's more of
16 a subset, but that could be much greater, you know, with all
17 these 25 percent of people on well water that who's going to
18 foot the bill for them hooking up to the community water
19 sources? So -- thank you.

20 MR. OSTROWSKI: Thank you. Okay. Is there
21 anybody else that wants to come back up and -- anybody that
22 hasn't spoken yet first of all that wants to speak or make a
23 comment? All right. Anybody that's already spoken that
24 wants to come back up and make more comment? Because we
25 have time. So, yes, sir, just come back up, say your name

1 well because they didn't enjoy the benefit of having a
2 preexisting standards like PFOA or PFOS. So I think it
3 needs to be made clear to the polluter panel since this is
4 going back in front of them that, in fact, only those two
5 constituents are to become cleanup standards. We're hoping
6 that the remaining five will also become cleanup standards.
7 But I heard a lot of pushback from the ERRC that they were
8 concerned that all seven of these MCLs would automatically
9 become cleanup standards and I think that needs to be made
10 clear to them because obviously if -- if they give this
11 thumbs down, we're back to the drafting table and it could
12 be another year before we see standards. And, again, I'll
13 repeat, I would hate to see perfect get in the way of good.
14 Thank you.

15 MR. OSTROWSKI: Okay. Thank you, sir. Okay. Go
16 ahead and state your name again so we --

17 SCOTT HARVEY

18 MR. SCOTT HARVEY: Scott Harvey. And I just
19 wanted to share a concern I have. I heard somebody talk
20 about good clean water being delivered to the different
21 citizens throughout northern Kent County and currently there
22 is a consent decree that is between the state of Michigan,
23 which would be the Attorney General's responsibility,
24 Plainfield Charter Township, Alcoma Township, and the
25 polluter, Wolverine World Wide. And this consent decree as

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1 I understand it will provide clean drinking water to
2 two-thirds of the people impacted by the pollution that --
3 that Wolverine admits to having done. There are clearly
4 throughout all of northern Kent County pockets of dump sites
5 where the water is contaminated from the residues from the
6 tannery and the folks that are not going to be treated live
7 fairly close to the Rockford city water. Rockford is not
8 included in this consent decree. And for whatever reason, I
9 fear those folks will be left out. And I know it's not part
10 of the rule, but it does make sense to try to get everybody
11 possibly hooked up to good, clean water and not leave
12 pockets of extremely high levels. And then my other fear in
13 the consent decree is nothing is going to be done to those
14 pockets of contamination that Wolverine is not going to
15 admit to and that will remain in the groundwater forever and
16 who knows what's going to happen once that gets into the
17 different plumes in our part of the county. So just had to
18 say that. Thank you.

19 MR. OSTROWSKI: Thanks. Okay.

20 LYNN MCINTOSH

21 MS. LYNN MCINTOSH: Lynn McIntosh. Do I need to
22 spell it again?

23 REPORTER: (Shaking head negatively)

24 MR. OSTROWSKI: No. Go ahead.

25 MS. LYNN MCINTOSH: Okay. It's my birthday,

1 another scoop of ice cream, another two minutes. Okay.

2 MR. OSTROWSKI: All right. Happy birthday.

3 MS. LYNN MCINTOSH: Yeah, I -- I was going to
4 mention the name Wolverine World Wide, too. I wanted to
5 read a quote from the movie Dark Waters, that very same
6 movie where human beings were referred to as receptors back
7 in those days, yeah, when they knew how bad these things
8 were. And the lawyer, Robert Bilott is quoted as saying to
9 one of his colleagues, "They have all the money, all the
10 firepower, and they'll use it. I know. I was one of them.
11 That's what we're up against. We're up against these big
12 corporations." And then he follows that by saying, "Our
13 government is captive to DuPont." Well, I hope our state is
14 not captive to corporations like Wolverine World Wide
15 because -- I didn't say this before, but I was that farmer
16 in the beginning of that movie who was dissecting cows. I
17 was out there going up and down that river digging out
18 leather hides and looking at foam on the river and putting
19 together pieces of a puzzle because something very bad was
20 hidden. Very bad. They never -- these corporations
21 never -- they got caught. They got caught and now we're
22 dealing with this. And I hope people stop using the word
23 "legacy pollution" and stop using phrases like "we want you
24 to be comfortable with your water." I have no patience for
25 that. Nobody does. Nobody wants sugarcoating. We want the

1 honest truth from you, from them, and we want our voices to
2 count more than what you hear from the business community in
3 particular. And I'm saying this out loud tonight because I
4 hope other people are listening. I hope all the senators
5 and the representatives and the state government are
6 listening to me tonight because some of you I'm very angry
7 at because you are ignoring this and you are compromising.
8 We need people with courage, with backbone. We don't have
9 many John McCains left. Where are the people in our
10 government, where are these people that we voted? Where are
11 the ones with enough backbone to take a stand? And so I say
12 this out loud hoping that some of you out there in the
13 business community -- this is addressed to you -- and you --
14 and you public servants who are not protecting us, but
15 you're protecting your job and your reputation and your
16 career. We see right through it and it's wrong. We need to
17 protect these people. They are people.

18 And that's an odd way to, you know, spend your
19 birthday, put in a new furnace, you know, that was one of my
20 birthday presents, did get flowers. But I am here because I
21 have to be here. I have no choice because I'm a mother
22 bear. I have kids. Any of us who have brought children
23 into this world have no excuse to not have courage right
24 now. Please be the leader. You would be surprised what
25 happens when you are courageous. The groundswell that will

1 be created by Michigan and people will be watching Michigan.
2 If we do it, it will help others, but the effects are far
3 reaching. This is a golden opportunity. Don't listen to
4 the other voices. Listen to the true voice. And -- yeah, I
5 better sit down. There might be other people who want to
6 speak. So thank you.

7 MR. OSTROWSKI: Thank you. Thanks for being here
8 on your birthday, too.

9 MS. LYNN MCINTOSH: Yeah. Thank you.

10 MR. OSTROWSKI: Okay. We've got another person.
11 Make sure you say your name.

12 SHANNON DONLEY

13 MS. SHANNON DONLEY: I didn't -- I didn't sign a
14 card, but my name is Shannon Donley, S-h-a-n-n-o-n
15 D-o-n-l-e-y. I'm with the environmental caucus of the
16 Michigan Democratic Party, but I'm here today as a private
17 citizen. I live in Grand Haven and I grew up along the
18 lakeshore in Muskegon. Our -- along the lakeshore we've had
19 a ton of challenged. You mentioned DuPont. Hooker -- I
20 grew up on White Lake with the Hooker Chemical issues and I
21 lost a brother to brain cancer because we've been swimming
22 so much out in White Lake. And so I know what -- how
23 families can be affected by these to- -- by different kinds
24 of toxins. The good news has been, though, that we've met
25 these challenges, and Whitehall, you can -- you know, we --

1 we can eat the fish in White -- in White Lake, but we don't
2 know for how long because they just approved Akayfo
3 (phonetic) to move in. So we've got a lot of battles along
4 the lakeshore. But the main thing is that we're in recovery
5 from, unfortunately, legacy pollutants. And now we live
6 inland and we have water underneath our feet and we don't
7 know what's in it. And the people in Plainfield didn't know
8 what was in it and the people in Grand -- in Robinson
9 Township didn't know what was in it. And it's even scarier
10 to think that they're bioaccumulative, and I would urge that
11 these rules be accumulative as well. You lowered them once,
12 leave the door open to lower them again. Move these rules
13 down as you learn more. Adjust to the emerging science
14 that's involved in them.

15 Testing on municipal water sources is good and
16 well and that's great for firefighters and families who are
17 serviced by municipal sources, but think about this, think
18 about that child who from the age of five on goes down the
19 street to their neighbor's house to play and all of a sudden
20 at the age of 15 is diagnosed with some kind of cancer in
21 their reproductive organs because the neighbor's well was
22 never tested, or some of our rural activity or rural
23 communities that don't have 13- to 1400 people and their
24 water isn't being tested regularly. The rules need to
25 expand themselves out a little more because, again, it's

1 accumulative. And I want to know that if I send my child
2 down to play with their friend that they're going to be
3 safe.

4 Removing the legacy pollutants is also
5 important -- again, I'm going to speak to industry a little
6 bit, too. We need to remove these legacy pollutants from
7 the production stream and I'm going to urge legislation to
8 do that and I'm going to stand behind legislators that do.
9 But at the same time we have another challenge in our
10 communities because we have unknown pollutants. We need to
11 be aware that there are places that you guys aren't going to
12 find that we're going to find and we might find them the
13 hard way. So I'm going to urge the rules to also
14 acknowledge the input from DHHS because they are going to be
15 on the front lines, they're going to be the ones that are
16 going to start seeing these illness clusters. And as we
17 move forward, now we know what we're looking for so they're
18 going to find them more and more often.

19 Accountability is going to be really, really
20 important. So these industries, the automotive industries,
21 the foundries that we have in Muskegon -- I was at an EGLE
22 meeting about PFAS last February or March and they were
23 talking about how Robinson Township was the focus and they
24 couldn't find the source at that point for the
25 contamination. And I was sitting by people in the audience

1 talking about that and they said, well, what about that old
2 dump out on 112th Street? There are unknown sources, there
3 are unknown dumps. I know that there is actually a health
4 care, an urgent care building on top of an old used car lot
5 where I grew up. I wonder if the people who built this know
6 that underneath this -- this intersection that's very, very
7 visible from the highway used to be 10, 12 used cars all
8 crunched up standing on top of one on top of another in the
9 early 70's. But now there's an urgent care there and -- and
10 a blood cancer center ironically and sadly. So
11 accountability for cleanup is important as well.

12 I am so thankful that these are going to --
13 these -- that these are going to be put in place because our
14 current levels are too high. The numbers that you have come
15 up with are nice, but make them as flexible and respondent
16 to what comes next. Move quickly. Protect our future and
17 protect it from industry. Continue your dedication and
18 thank you for having these meetings for us this time. We
19 appreciate your transparency. Thank you.

20 MR. OSTROWSKI: Thank you. All right. Do we have
21 anybody else that wants to make a comment? All right,
22 folks. Well, this is what we're going to do. We are
23 officially supposed to be here 'til 8:00 o'clock. So we are
24 going to -- what I'm going to do is temporarily suspend the
25 hearing until 8:00 o'clock, but for those of you who don't

1 want to sit around until 8:00 o'clock, I'm going to read
2 some of our closing statements and what's next so you kind
3 of know what's going on after this.

4 So I want to thank you again for being here
5 tonight and for your cooperation and for your support for --
6 for one another. Appreciate that. We appreciate your
7 interest in the proposed rules and that you took the time to
8 be here.

9 As previously mentioned, the public comment period
10 ends Friday, January 31st, 2020. In order to be included
11 for consideration, comments must not -- comments must be
12 received, not postmarked, by 5:00 o'clock p.m. on January
13 31st. Please submit comments in writing to:

14 EGLE-PFAS-Rulemaking@michigan.gov. Again, more details on
15 where to send your comments and to learn more details about
16 the rulemaking process are in our printed agenda that you
17 have.

18 The next step in the rulemaking process after the
19 public hearing is preparing the Agency Report and the final
20 draft rules that will first go to the Environmental Rules
21 Review Committee. The Agency Report will include the
22 following: Identification of the comments that -- that
23 are -- let me start again -- identification of the comments
24 that are the basis for any rule changes, EGLE's rationale
25 for making the rules changes, transcripts from all three

1 hearings, and a copy of all written comments that resulted
2 in rule changes.

3 The Environmental Rules Review Committee holds
4 meetings open to the public on the last Thursday of the
5 month and we expect that they be able to vote on the draft
6 rules at their February 27th or March 26th meeting.

7 From the Committee the Agency Report and final
8 rules then go through another round of review and approvals
9 by the Legislative Services Bureau and the Michigan Office
10 of Administrative Hearings and Rules before they are
11 forwarded to the Joint Committee on Administrative
12 Rulemaking or JCAR, and JCAR has 15 full session days in
13 which to consider the rule package. We are hoping for the
14 rules to be promulgated in April or May.

15 All right. So at this time I'm going to suspend
16 the hearing until 8:00 o'clock. So if anybody should come
17 in or want to make additional comment, we'll open -- we'll
18 open it back up and you can make those comments. In the
19 meantime, if you need to -- to -- to leave, make sure -- we
20 have a sign-in sheet and you put your e-mail on that and
21 we'll follow up with you with any e-mails after this. So
22 have a good evening. I will reopen it again in a little bit
23 here before 8:00 o'clock. If you would like to make a
24 comment -- I see a couple of you standing up -- just go
25 ahead and come up over here and after it kind of quiets down

1 we'll take your comment again. Thank you.

2 (Off the record)

3 MR. OSTROWSKI: Okay. We are going to bring this
4 back to order again. So just want to let everybody know
5 we're closing -- reading the closing statements. Is there
6 anyone else, I should say, that wants to make a final
7 comment before we close? Okay. All right. Then -- okay.
8 I'm going to read the closing statements that are -- to
9 basically close this up.

10 As previously mentioned, the public comment period
11 ends Friday, January 31st, 2020. In order to be included
12 for consideration, comments must be received, not
13 postmarked, by 5:00 o'clock p.m. on January 31st. Please
14 submit comments in writing to:
15 EGLE-PFAS-RULEMAKING@Michigan.gov. Again, more details on
16 where to send your comments and to learn more details about
17 the rulemaking process is on the printed agenda that was
18 provided. The hearing is now closed. Thank you.

19 (Proceedings concluded at 7:59 p.m.)

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MICHIGAN DEPT. OF ENVIRONMENT,
GREAT LAKES, AND ENERGY PUBLIC
HEARING

January 14, 2020

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STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES and ENERGY

PUBLIC HEARING
FOR THE ADMINISTRATIVE RULES SUPPLYING WATER TO THE PUBLIC
4800 East Huron River Drive, Ann Arbor, Michigan
Tuesday, January 14, 2020, 6:00 p.m.

APPEARANCES:

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1 Ann Arbor, Michigan

2 Tuesday, January 14, 2020 - 6:05 p.m.

3 MR. OSTROWSKI: Good evening. The Michigan
4 Department of Environment, Great Lakes and Energy in
5 partnership with the Michigan Department of Health and Human
6 Services would like to welcome you to the public hearing on
7 the proposed administrative rule revisions to: Rule Set
8 #2019-35 EG - Supplying Water to the Public.

9 My name is Jim Ostrowski, and I am the hearings
10 officer for this public hearing. I'd like to take this
11 opportunity to also introduce Eric Oswald, the Director of
12 Drinking Water and Environmental Health Division, who you
13 already heard from, also Dave Fiedler who is EGLE's
14 regulatory affairs officer. There are also several staff
15 from EGLE and the Michigan Department of Health and Human
16 Services available to answer your questions in the resource
17 area outside of the hearing room; so right out there
18 (indicating) where you came in. They will be at the tables
19 for the entire length of tonight's meeting and they'll stick
20 around also afterwards if you have questions.

21 So hearing agenda, first, we're going to begin
22 with some background information about why we're here, then
23 we'll describe the purpose of the hearing and how your
24 comments will be considered. Following that, we will
25 outline the procedures under which we will take your

1 comments and describe what will happen after tonight's
2 hearing. Then it will be time to hear your comments. We
3 will spend the majority of tonight's time listening to and
4 recording those comments. And I will mention that in
5 addition to our live stream today, we've also got a court
6 reporter here who is recording all the comments for
7 transcription.

8 Dave Fiedler is going to come up now and provide
9 some background information for you all.

10 MR. FIEDLER: All right. Thanks, Jim. Good
11 evening. The Drinking Water and Environmental Health
12 Division of EGLE is responsible for ensuring Michigan's
13 Public Water Supplies deliver water that meets the state's
14 drinking water requirements set forth in the Michigan Safe
15 Drinking Water Act, or Public Act 399 of 1976, and its
16 associated administrative rules. Today we are here for a
17 public hearing on the proposed revisions to the
18 administrative rules titled "Supplying Water to the Public,
19 Parts 1 to 28." These revisions pertain to drinking water
20 standards, water supply sampling, public notification, and
21 laboratory provisions.

22 The proposed amendments to the administrative
23 rules we are discussing today are state specific revisions
24 that go beyond federal regulations. While the U.S.
25 Environmental Protection Agency has established an

1 unenforceable lifetime health advisory level for total PFOS
2 and PFOA, many academia, health officials, and the Agency
3 for Toxic Substances and Disease Registry deem this advisory
4 level is too high or not protective enough. In addition,
5 the lack of an enforceable standard for PFOS and PFOA and
6 other commonly found PFAS chemicals impairs EGLE's ability
7 to take enforceable actions to protect public health and the
8 environment.

9 EGLE's proposed rule revisions establish
10 enforceable drinking water standards and monitoring
11 requirements for several PFAS substances. Notable PFAS rule
12 revisions include: The establishment of a maximum
13 contaminant level for seven PFAS; the establishment of
14 sampling requirements for community and nontransient
15 noncommunity water supplies; public notification
16 requirements for water supplies that either exceed a maximum
17 contaminant level or did not perform monitoring as required;
18 criteria for certifying drinking water laboratories for PFAS
19 analysis.

20 When drafting the proposed rule revisions, EGLE
21 considered data and recommendations made by the Michigan
22 PFAS Response Team or MPART, MPART's Science Advisory work
23 group, and numerous stakeholders including, but not limited
24 to, environmental organizations, water industry
25 representatives, public health professionals, and citizen

1 groups. Tonight's hearing gives you an opportunity to
2 provide information for EGLE to consider when finalizing the
3 revisions to these administrative rules. If you would like
4 to see the current proposed rule revisions, they are
5 available to the public on the Michigan Office of
6 Administrative Hearings and Rules web site and EGLE's
7 drinking water rule promulgation web site, and those web
8 sites I believe are on your agenda. That information on how
9 to get to those web sites are on your agenda.

10 So, again, thank you for coming tonight to
11 participate in this public hearing.

12 MR. OSTROWSKI: All right. Thanks, Dave. All
13 right. So I'm going to go over a few more things here.
14 First of all, the rulemaking process and today's procedures,
15 now I'm going to explain that. In order for the rules to be
16 adopted, the Department must follow the procedures set forth
17 in the Administrative Procedures Act, Act 306 of 1969. Now,
18 I will explain the rulemaking process and how your comments
19 will be used. In order for the rules to be adopted, the
20 Department must follow the procedures set forth in the
21 Administrative Procedures Act, Act 306 of 1969. The purpose
22 of today's hearing is to give anyone interested in the
23 proposed rules the -- an opportunity to provide information
24 the Department can use in making possible changes to the
25 draft rules. We are here tonight to receive public input on

1 these proposed changes intended to better protect public
2 health by establishing: PFAS drinking water standards, PFAS
3 sampling requirements, PFAS public notification
4 requirements, PFAS laboratory certification criteria.

5 The Notice of this Public Hearing was published in
6 three newspapers of general circulation: The Ann Arbor
7 News, Grand Rapids Press, and The Marquette Mining Journal
8 on December 12th, 2019. It was also published on January
9 1st, 2020, in the Michigan Register, and posted on the EGLE
10 calendar beginning on December 16th, 2019. Copies of the
11 Notice of Public Hearing, Regulatory Impact Statement, and
12 proposed rules have been available on the EGLE and Michigan
13 Office of Administrative Hearings and Rules web sites and
14 upon request.

15 As you came in, you were given an opportunity to
16 fill out an attendance card. Remember I was showing you
17 this one right here (indicating), this small one? We
18 request that everybody fill out a card and indicate if you
19 wish to make a comment, and that's that little checkbox in
20 the corner. We will use these cards to call upon those who
21 want to make a statement today. To ensure that the hearing
22 is conducted in a fair manner, we will follow these steps.
23 I will call on those who have indicated on the cards they
24 want to make a comment and want to speak, in the general
25 order in which the cards were turned in. When this has been

1 completed, and if time permits, I will ask if anyone else if
2 they would like to make a statement.

3 When your name is called, please come to the
4 microphone right there (indicating), speak directly into the
5 microphone, and make your statement. If you have written
6 comments -- if you have, like, a written comment, like a
7 packet of papers or something or materials that you would
8 like to present, please hand them to me as you come to the
9 table. You could probably just leave them -- it's kind of
10 hard to get up here, I know. So if you want to leave them
11 up there next to the court reporter, I'll grab them over
12 there, too. So hand it to us before you begin your
13 comments. And when you -- when you begin your comments,
14 please state your name and spell it and also identify any
15 group or association you may represent. We'll have limited
16 time today and want to be fair and allow everyone to speak.
17 Therefore, each person indicating they want to speak will be
18 given three minutes to make their comments and I will
19 indicate when you have one minute left. At that time,
20 please begin wrapping up your comments and end within the
21 allotted time. If need be, I will indicate when your time
22 has ended. So I'll try to be kind of subtle. I'll give
23 you, like, a little one minute sign (indicating) or I'll say
24 "one minute" just to let you know. Okay?

25 Please be respectful to others and do not

1 interrupt a speaker. Please understand that the purpose of
2 the hearing today is to provide an opportunity to receive
3 and listen to your comments only. The hearing process does
4 not allow for open discussion or questions about the
5 proposed rules. EGLE staff will not be responding to
6 questions or comments during this hearing in here. However,
7 we have staff that are available in the lobby to answer
8 questions now and after we adjourn. All right. Almost
9 done.

10 So how the information will be used. The hearing
11 is being recorded and your comments will become part of the
12 information the Department will consider when finalizing the
13 proposed rules. You will have until Friday, January 31st to
14 submit your comments. Your agenda contains instructions on
15 where to send the written comments if you did not bring them
16 with you tonight.

17 Following the close of the comment period on
18 January 31st, we will review all written and verbal comments
19 and prepare an Agency Report which summarizes who is in
20 favor of the draft rules and who is opposed to them. It
21 will also contain an explanation of what additional changes
22 EGLE will be making to the draft rules. The Agency Report
23 and the final proposed rules will then be sent to the
24 Environmental Rules Review Committee which provides
25 stakeholder oversight of the Department's rulemaking. This

1 12-member committee will vote to approve, approve with
2 changes, or reject the rules. If the committee approves the
3 rules, they will move forward to the Joint Committee on
4 Administrative Rulemaking or JCAR, and JCAR is a bipartisan
5 legislative committee made up of five house and five senate
6 members and they provide legislative oversight of the
7 rulemaking process. They can hold hearings on the rules and
8 can also object or ask the agency to make changes to the
9 rules.

10 If the Environmental Rules Review Committee
11 approves with modification or rejects them, they must submit
12 a notice of objection to EGLE explaining their decision. If
13 EGLE cannot resolve the issues, then EGLE submits a written
14 finding to the Governor, and if the Governor agrees with
15 EGLE, then the rules proceed onward to JCAR. If the
16 Governor does not agree with EGLE, the rules are withdrawn.

17 If the rules are not opposed by JCAR, then they
18 will be filed with the Secretary of State and will take
19 effect seven days after being filed. You can follow the
20 rulemaking process, step-by-step by going to the Michigan
21 Office of Administrative Hearings and Rules' web site.

22 Thank you for your attention. I will now begin
23 calling the names of those who have indicated they would
24 like to make a statement. All right. So thanks for hanging
25 in, everybody, with those opening remarks. So what I'm

1 going to do right now is start going through these. And,
2 again, when I call your name up, I'm going to call the
3 person speaking and I'm also going to call the person that's
4 on deck so you can be ready. All right? And, again, when
5 you come up, make sure you state your name and spell it so
6 our court reporter can get it accurate, and also if you're
7 representing any type of organization, make sure you say
8 that, too. Okay.

9 So the first person up is John Buhl, and then
10 after John is Charles Carpenter. So, John, come on up to
11 the mic and -- might want to tap it once to make sure it's
12 on. It should be on if there's a green light. You're on.

13 MR. JOHN BUHL: Hello.

14 MR. OSTROWSKI: All right. And you got three
15 minutes.

16 JOHN BUHL

17 MR. JOHN BUHL: I'm very glad you had this
18 meeting. What I would like to say is I am hoping that at
19 some point during your rulemaking process you decide certain
20 penalties for those who are unable or unwilling to complete
21 the testing in the appropriate time. I am hoping that you
22 have intent in the future to lower the allowable limits in
23 the nanogram per liter of water allowed. And I would hope
24 that in the future you could put out something in the per
25 gallon state so that most of the public can understand how

1 much or how little of this stuff is in the water. Do we yet
2 know how deep into the water table these chemicals have
3 gotten? That's my question. That's all I got for today.

4 MR. OSTROWSKI: Okay. Sir, can you -- can you
5 state your name again? I forgot to make sure you did that.

6 MR. JOHN BUHL: John Buhl, B-u-h-l.

7 MR. OSTROWSKI: Thank you. All right. And just
8 want to remind everybody I am looking at my phone, but it's
9 for my stop -- my timer, so that's why I'm looking at it.
10 I'm not being rude. All right. So Charles Carpenter, come
11 up next, and then after Charles is Renee Gregory. So,
12 Charles, right there (indicating). Thank you. Remember,
13 state your name and spell it. Thank you.

14 CHARLES CARPENTER

15 MR. CHARLES CARPENTER: Hi. Charles Carpenter, C-
16 a-r-p-e-n-t-e-r. I'm a volunteer with the Sierra Club here
17 in Michigan. The proposed PFAS rule is an important start.
18 I commend EGLE and Governor Whitmer for their leadership in
19 establishing an MCL for some PFAS chemicals. Clearly there
20 is no leadership at the federal level, so state action is
21 required. Michigan must protect Michigan waters. The good
22 news is that Michigan has already demonstrated leadership in
23 the identification of the scope of this problem. There is
24 no reason that we cannot define the solution as well to this
25 critically important issue.

1 PFAS, PFOA and related chemicals impact the
2 drinking water of 1.9 Michiganders. That would be about one
3 in five of us here tonight. People all over the state are
4 impacted regardless of political party, economic status,
5 race, or rural/urban location. This is an issue for all of
6 us. All of us have a responsibility to protect the ground
7 and surface waters of Michigan. These are our waters, not
8 the fed's, not any corporation's.

9 I do believe, though, that EGLE should make one
10 enhancement to the proposed rule. Because there are over
11 5,000 chemicals in the PFAS family and because industry is
12 always creating new versions, EGLE should create a total
13 combined MCL. Limiting the rule to seven currently well
14 observed chemicals will not stay up with technology.

15 My son has a disease called primary sclerosing
16 cholangitis. It is an autoimmune disease. His antibodies
17 are attacking his liver because they think there is some
18 poison there trying to destroy it. His doctors say based on
19 averages he will die or need a transplant in 15 years. They
20 do not know the cause of this disease. It is apparently
21 some combination of bad genes and environmental toxins. I
22 do not know that PFAS caused this disease. I do know that
23 PFAS causes autoimmune disorders. I do know that my son was
24 exposed to an unusual amount of waterproofing chemicals.

25 I ask that EGLE help us to do our best now, to

1 make sure that in 15 years other parents are not saying, "If
2 we had only known." Thank you.

3 MR. OSTROWSKI: Thank you. Okay. So we got --
4 we've got Renee Gregory up next for statement, and then
5 Nathan Murphy.

6 MS. RENEE GREGORY: I turn it off? I guess not.

7 MR. OSTROWSKI: You're on.

8 RENEE GREGORY

9 MS. RENEE GREGORY: Okay. Renee Gregory,
10 G-r-e-g-o-r-y, and I've lived in southeastern Michigan
11 pretty much all my life. I personally know four people with
12 bladder cancer that live in southeastern Michigan. And I'll
13 bet you that if everyone in this room thought hard, they
14 probably know somebody with it, too. It's prevalent and
15 we've all been scratching our heads, but look at -- look at
16 the water here. I mean, we've had Flint, we have the PFAS,
17 there's Gelman. I mean, it -- it's like -- it seems it's
18 insult to injury, you know, one day after the next. I
19 actually make my living flying for an airline. I travel all
20 over the place. And invariably when you're in a hotel
21 people are like, "Oh, where are you from? Where are your
22 crew based?" And when I say Michigan, it's -- it's funny to
23 watch their faces. They're all like, "Oh, wow. Yeah,
24 that's where the water is bad." Do we really want that
25 reputation here? Do we?

1 thousands of Michigan members statewide.

2 I'd like to thank EGLE and MPART and Governor
3 Whitmer for her leadership and being really ahead of the
4 curve compared to the rest of the states in getting, trying
5 to get on top of this PFAS issue. I think there's some
6 really good things within the proposed rules, however, I
7 have some real serious concerns about the rules.

8 First, we're only dealing with seven. We know
9 there's almost 5,000 flavors of PFAS, if you will. My
10 concern is ten years from now or 15 years down the road
11 we're going to be playing whack-a-mole and we're going to be
12 back here talking about more types of PFAS that we didn't
13 regulate the first time around. Another concern I have is
14 that the rules that are proposed only deal with these in
15 isolation. Each one individually and their toxicological
16 effects are only addressed within each compound. Toxicology
17 101, a lot of times compounds have synergistic or additive
18 effects when put together, and we know from testing that we
19 frequently find different types of PFAS together. It's a
20 real mistake to not look at the toxicological effects of
21 these compounds when we find more than one. I also have a
22 concern that the rules need to be more protective of our
23 most vulnerable citizens. These rules don't include enough
24 information about the health risks to pregnant women and the
25 developing fetuses inside them, or children, people of

1 chronic illnesses, and the elderly. That's a pretty big gap
2 that we need to take care of.

3 While this is a good start, I think it's the
4 equivalent of building a roof over a house and leaving a
5 large section of it un-roofed. We need to take into account
6 those other toxicological effects. Thank you for your
7 reference. I appreciate your time.

8 MR. OSTROWSKI: All right. Thank you. All right.
9 Kevin Fisher and Rita Loch-Caruso after Kevin.

10 KEVIN FISHER

11 MR. KEVIN FISHER: Hello. My name is Kevin
12 Fisher. I'm from Hazel Park, Michigan. So like I'm sure a
13 lot of us over the last few years, you know, I've been
14 following the PFAS issue as close as I could, and month
15 after month as more issues came up I just, you know, felt an
16 overwhelming feeling of -- of -- of fear and dread as -- as
17 these things went from really noticeable issues like what
18 happened with Wolverine on the west side of the state to
19 just unbelievably heartbreaking issues about what happened
20 with the Huron River. And so I really applaud EGLE for
21 taking these steps forward to -- to regulating these
22 chemicals. Like a lot of people have already said, I think
23 this is a really good first step. But my main concern here
24 is, you know, because this is a family of chemicals with
25 over 4,000 -- excuse me -- 5,000 different chemicals, I -- I

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1 would like to see a more proactive approach to -- to how we
2 regulate these chemicals. And I think, you know, a
3 cumulative standard, something more along the lines of, you
4 know, like instead of combined total of limits of all PFAS
5 within the water would be a good additional step in terms of
6 having a more proactive approach. As -- as the months go on
7 and as the years go on, I think we could expect to see that
8 there are more of the individual chemicals within the family
9 of PFAS is shown to -- to have these really detrimental
10 health effects, I want us to have, you know, a more
11 forward -- a forward reaching program where we can --
12 knowing that we've already, you know, dealt with this from
13 the beginning and we can get a cumulative effect instead of,
14 like, you know, anything that's falling under the umbrella
15 of PFAS can be regulated and a limit be placed upon it for
16 all of our water systems. So thank you.

17 MR. OSTROWSKI: Okay. Thank you. Rita, and then
18 after Rita is Meena Salih, Salih (pronouncing).

19 RITA LOCH-CARUSO

20 MS. RITA LOCH-CARUSO: Hi. I'm Rita Loch-Caruso,
21 L-o-c-h hyphen C-a-r-u-s-o. With fewer than ten states
22 having any kind of rules on PFAS and drinking water or
23 promulgating or considering rules for, I do applaud the
24 state of Michigan for their proactive work on putting some
25 rules forward for protecting Michigan's public health.

1 Saying that, I agree with previous speakers who
2 have said that seven is a good start. These are important
3 PFAS's that have been targeted, but some kind of a combined
4 criterion also that would take into account the myriad
5 permutations possible for PFAS chemicals would be great.

6 Also, I did look through the materials pretty
7 quickly, but I am a little concerned about whether there is
8 adequate protection for pregnant women and for fetuses. I
9 noticed in the terms and decisions looking at populations at
10 risk it says, "Toxicologists consider PFAS exposures for
11 infants that may be breast fed or formula fed, children, and
12 adults." It doesn't say pregnant women or the unborn. I
13 don't know if that's an oversight. It also says in the next
14 paragraph that, "MDHHS evaluated models to account for
15 transfer of PFAS from mother to fetus," and they also
16 consider the longevity of PFAS chemicals. I thought that
17 would include PFAS transfer during pregnancy, but that's not
18 talking about health effects. That's not talking about
19 health effects to the mother and health effects to the
20 fetus. And so it's not clear from this information if, in
21 fact, health effects to pregnant women and to the unborn
22 were included in drawing up the -- the values for the MCLs
23 that are being proposed.

24 And I am further concerned because in this thicker
25 document I got on the rules under health effect language,

1 for five of the seven PFAS chemicals, there is mention of
2 health concerns for the unborn or for pregnant women.

3 The final comment I would like to make was
4 triggered by a comment in the introduction. It's important
5 that the detection for -- for the im- -- in the
6 implementation that there be consistency with limits of
7 detection and with how values are -- samples are treated
8 when they have values that fall below the limit of
9 detection. If those values are assigned zero, it imparts
10 some prejudice to means and whether you're going to consider
11 it including means and medians or just means, because means
12 are much more impacted by lots of zero values, for example.
13 Thank you.

14 MR. OSTROWSKI: Okay. Thank you. Okay. Next up
15 is Meena Salih or Salih (pronouncing). Is Meena there? Oh,
16 come on down.

17 MS. MEENA SALIH: I don't want to make a comment.

18 MR. OSTROWSKI: You don't want to make a comment?
19 Okay. That -- that's fine. You don't have to make a
20 comment. Thank you. And then next up is Christy
21 McGillivray, McGillivray (pronouncing). Oh, come on down.
22 And after Christy is Stacy Taylor.

23 CHRISTY MCGILLIVRAY

24 MS. CHRISTY MCGILLIVRAY: Hi. Thank you. It's
25 Christy, C-h-r-i-s-t-y, and McGillivray is

1 M-c-G-i-l-l-i-v-r-a-y, and I am the political and
2 legislative director for the Michigan chapter of the Sierra
3 Club. Thank you. These comments have been submitted in
4 writing as well, but I will take a moment now to share them
5 for the record. And thanks for your patience while I read
6 them. I want to make sure I accurately capture them.

7 So as others have stated, we thank the state of
8 Michigan for taking this really important step and taking
9 this opportunity to take public comments. We are doing a
10 lot more than other states and we applaud that. And we
11 think we can go a little bit further in getting the best
12 protections possible for Michigan citizens.

13 So taking that into account, we encourage MPART
14 and the JCAR committee as a whole to take into account the
15 combined effects of PFAS. So MPART's risk evaluations for
16 specific PFAS do not take into account the additive effects
17 of concurrent exposures to multiple PFAS. Aggregate
18 exposure is a scientifically supported method used for both
19 dioxins and PCBs and it is not protective of public health
20 to set separate limits for a small number of individual PFAS
21 chemicals. Michigan's water testing has confirmed that when
22 water is contaminated with PFAS, people are nearly always
23 exposed to multiple PFAS. The scientific advisory work
24 group report itself noted on page 25, "Health concerns are
25 based on total exposure to PFAS from many sources."

1 So given the ubiquity of PFAS in consumer
2 products, it's really incumbent to recommend drinking water
3 standards that will take into account all the possible
4 avenues of exposure to PFAS for Michigan citizens. Other
5 states are doing this. Vermont has taken a step in the
6 right direction by setting a combined MCL of 20 parts per
7 trillion for five chemicals, and Massachusetts is on the
8 cusp of taking a very similar approach in combining additive
9 exposure.

10 As others have stated -- this is the second
11 point -- all exposure models should be protective of our
12 most vulnerable populations. MPART and EGLE should take
13 into account the most developmentally vulnerable populations
14 in our state when setting drinking water standards. We are
15 supportive of the work group's use of exposure models that
16 take into account the exposure of fetuses, infants, and
17 children to PFAS, but the modeling used for GenX deviated
18 from the exposure models used for the other six PFAS and
19 used adult assumptions regarding liver toxicity. We agree
20 with the assessment of the Natural Resources Defense Council
21 that this is a problem, especially because there is no
22 combined value for PFAS included in the recommendations. We
23 think that the recommendations for GenX should reflect the
24 logic of the work group's own report and require a
25 significantly more protective health-based value in MCL

1 until enough information becomes available to assess the
2 GenX threat. Chemicals like --

3 MR. OSTROWSKI: You have one minute.

4 MS. CHRISTY MCGILLIVRAY: Pardon?

5 MR. OSTROWSKI: One minute.

6 MS. CHRISTY MCGILLIVRAY: All right. I'll go
7 quickly. Chemicals like GenX should not be treated as
8 innocent until proven guilty and we must put the burden of
9 proof, the proof of safety on the manufacturers that profit
10 from the sale of these chemicals instead of waiting for
11 Michigan citizens to get sick.

12 The last point. We need to account for mammary
13 gland development impacts from PFAS. The recommendations so
14 far do not take into account the effects of PFAS exposure on
15 mammary gland development. Recent observational studies in
16 people and experimental findings in laboratories have linked
17 exposures specifically in PFOA and shorter -- to shorter
18 durations of breastfeeding. The delays in mammary gland
19 development associated with PFOA at very low levels can lead
20 to long-term adverse health effects.

21 So taking all this into account, we strongly
22 support a combined MCL for PFAS that accounts for inevitable
23 multiple exposures and I will end my comments there. Thank
24 you.

25 MR. OSTROWSKI: Thank you. Okay. Stacy Taylor

1 and then after Stacy is Denise Cantu.

2 STACY TAYLOR

3 MS. STACY TAYLOR: Hi. Stacy Taylor, [REDACTED]
4 [REDACTED]. I've been doing that for two and a half years. So
5 there's 194 acres being developed in Holly, Michigan and
6 it's going to threaten a lot of people's health and safety.
7 A gentleman was trying to build a manufactured home park.
8 Our community has fought for over 40 years to keep this from
9 happening because it's in a very forested wetland area.
10 The San- -- the Marshall Sandstone Aquifer is at threat.

11 So the biggest problem today is the 40-acre dump
12 right next door to my house. My sister-in-law Denise Cantu
13 lives right next door to it on Rice Lake. We've had our
14 third geologist read the reports that we recovered that were
15 not supposed to be found and it says contamination is
16 likely, it calls it on the groundwater, it calls it on the
17 surface, it calls it in the test wells and we are getting
18 stonewalled by anybody that can make any decision or listen
19 or make an informed decision. I've been reaching out to
20 EGLE for months. We have done everything we possibly can
21 with our senators, Elissa Slotkin, I've met the Governor and
22 we're being stonewalled.

23 So now we have been digging a little bit further
24 into the 40-acre dump. And in 1995 Char Wilson (phonetic)
25 was told to clean -- the dump needed to be cleaned up.

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1 Since then we've recovered some records, but they said there
2 wasn't enough money to clean the dump up, so they said take
3 the sign down that there is a dump and they said test the
4 test wells, test my water, test her water, test the house
5 south of the dump. None of that happened. It hasn't been
6 tested. The township -- I'm sorry. The village says they
7 don't have the money, that it should be EGLE. EGLE says,
8 nope, the village owns it, it should be them. They're
9 getting ready to expand that park with another 454 units
10 which will put now thousands of people's health and safety
11 at risk every time they turn on their faucet.

12 My house, we have a problem there. The runoff
13 comes across my house. They're discharging into the
14 Shiawassee River with their self-treated effluent discharge.
15 They have 104 effluent violations including choking out
16 aquatic life, fecal chloroform five straight days after our
17 ice storm in 200-, I think, '18. It was -- it might have
18 been a couple years before that. I have all of this. But I
19 have hundreds of documents that say this shouldn't be
20 happening. I grew up in Grayling. PFAS polluted Lake
21 Margrethe. I learned how to swim in that lake. My brother
22 lived in Rockford. Wolverine Tannery polluted that river.

23 Yes, I realize, one minute. That's why I talk
24 really fast. I'm used to that three-minute limitation.
25 With all of this documentation, we have the ability in 2020

1 to make sure that we are protecting the drinking water for
2 the people in the park, outside the park, and protect that
3 Marshall Sandstone Aquifer and the Shiawassee River. Please
4 help us.

5 MR. OSTROWSKI: Thank you. Thank you. Denise
6 Cantu? Denise here? Okay. And then Meredith Gillies after
7 that.

8 DENISE CANTU

9 MS. DENISE CANTU: Okay. Hello. Denise Cantu, C-
10 a-n-t-u. And I don't really want to be up here talking, but
11 I just going to make it really fast. That I live right next
12 door to a dump. We bought our house -- this will be our
13 fifth summer, but no one told us that there was this dump
14 right here next to us. And a couple weeks ago I read a
15 report from 1970 that said this dump contains toxic
16 contaminations and must be cleaned up and nothing was ever
17 done. I live my life 24 hours a day, seven days a week
18 scared. I'm afraid to take a shower. I don't drink that
19 water, but I don't know what else to do to wash. How else
20 are we going to wash? But we buy our water. And I think
21 it's not fair that they -- someone should have told us there
22 was a toxic waste. I'm afraid to walk barefoot in my yard.
23 That's how scared I am. So someone needs to help us. At
24 least someone needs to look in this and see if I am living
25 next to a toxic dump.

1 brief so other people can talk.

2 But we at Clean Water Action urge EGLE to consider
3 the following changes to the proposed rule. First of all is
4 taking a class-based approach as others have mentioned. It
5 is not enough to set standards for individual chemicals when
6 it is most common for contaminated drinking water to contain
7 multiple different PFAS compounds. It is imperative that we
8 take cumulative impact into account and set a combined total
9 standard that will set the baseline for ensuring
10 Michiganders have clean, safe water to drink.

11 Second, we implore you to consider our most
12 vulnerable populations as others have said, specifically for
13 the GenX compound. It is not enough to set standards that
14 are protective of healthy adults. We must consider effects
15 of ingesting PFAS on children, pregnant people, and those
16 suffering from chronic illness and the elderly. And
17 finally, we encourage our PFAS standards to take into
18 account the best science that's available including recent
19 studies determining effects on mammary gland development.

20 Right now Michigan has an opportunity to be the
21 leader on this issue and implement the most comprehensive
22 and stringent MCL of any state in the country and we hope
23 that you will take that opportunity seriously. Thank you
24 very much for your time and consideration.

25 MR. OSTROWSKI: Thank you. All right. Keith Lee

1 and then Lisa Patrell.

2 KEITH LEE

3 MR. KEITH LEE: So I'm Keith Lee, L-e-e. I
4 support the proposed PFAS rules and I commend EGLE for
5 taking this action but I think there's a huge gap that we're
6 missing here. And you were talking earlier about not really
7 regulating individual wells and I think there needs to be
8 some mechanism so that people living in the area where we
9 know we have contaminated aquifers have some mechanism for
10 individual wells to be evaluated rather than putting that
11 population at risk and ignoring them because they're not on
12 community water supply. So I think you need to work with
13 counties or work with individual organizations somehow so
14 that we can evaluate individual wells and make sure that
15 those people are not at risk also. Thank you.

16 MR. OSTROWSKI: Thanks. Okay. Lisa?

17 LISA PATRELL

18 MS. LISA PATRELL: My name is Lisa Patrell, last
19 name is P-a-t-r-e-l-l. I'm here representing Washtenaw 350.
20 We are a chapter of 350.org. Sorry this is a repetition.
21 I'm asking for an increase in the scope regarding reporting
22 procedures. The -- the measurements that are being taken
23 now and the costs that have been logged thus far I'm asking
24 for a broad name of those measurements and reporting that
25 fit within a new matrix that's come out of the United

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1 Nations Statistical Accounting committee. It's called SEEA,
2 Systems of Environmental Economic Accounting. It's work
3 that's been pioneered by many economists across the world
4 including the Nobel Prize Laureate Joseph Stiglitz who wrote
5 the 2012 groundbreaking work, the "Inequality of
6 Mismeasurement."

7 I am concerned because -- I'm going to speak from
8 the legislative end. The reason these measurements are
9 important is because we cannot make good policies nor good
10 legislations without knowing the cost and in this world,
11 economics is often the language we -- we use. And as I've
12 said, I can make a direct line from Michigan's inability to
13 retain our talent, to attract businesses to our state, and
14 our overall economic health because we've been making poor
15 decisions because we do not understand the cost of
16 pollutants in our environment. As other people have said,
17 PFAS is right in front of us, now there are others. So I'm
18 asking that there is time, talent, and people assigned to
19 capturing the cost so that -- so that as fracking and other
20 industry that wants to move into town, if we get more
21 corporate farming and they want to put things on the soil,
22 before those happen, we -- we have legislatives in place
23 such as the Polluter Pay Law that's being promoted by the
24 House, 4212, or the Senate version which is 116, that --
25 that the legislators have the things that they need, the

1 economic cost, so we can put the legislation we need forward
2 to protect Michiganders. Thank you.

3 MR. OSTROWSKI: Thank you. Okay. Next up is
4 Elaine Chottiner, and then after Elaine is Andrew Wotan.

5 ELAINE CHOTTINER, M.D.

6 DR. ELAINE CHOTTINER: C-h-o-t-t-i-n-e-r. My name
7 is Elaine Chottiner. I'm a retired hematology/oncology
8 physician and a Health Leaders Fellow with the Ecology
9 Center. I spent 30 years caring for patients with blood
10 disorders and cancers, many linked to pesticides, work place
11 exposures, and other environmental toxins.

12 My fellowship project was a comprehensive
13 literature review on the health effects of PFAS with a focus
14 on the newer short chain chemicals. I was shocked by what I
15 learned. In my profession drugs don't come to market until
16 they've undergone rigorous testing and are proven to be safe
17 and efficacious. In the world of industrial chemicals, it
18 appears that these safeguards don't apply until harm has
19 emerged and the public demands accountability.

20 I applaud the work that MPART and EGLE are doing.
21 However, I'm concerned about the proposed MCLs and I want to
22 make the following points. One, evolving studies suggest
23 that PFAS pose the highest risks for the most vulnerable
24 populations: pregnant and lactating women, the developing
25 fetus and infants and children. Older epidemiologic data

1 from studies such as the CA project suggested links to
2 various diseases. Recent studies are more alarming. PFAS
3 appear to be endocrine disruptors that interfere with the
4 function of normal hormones including estrogen,
5 testosterone, and thyroid. They impact pregnancy and fetal
6 development, fertility, and thyroid function. PFAS also
7 appeared to impair immunity particularly in children,
8 possibly by interfering with the way white blood cells
9 recognize vaccines and foreign substances. These
10 abnormalities occur in real time. That means that unlike
11 cancer, these risks are not necessarily related to duration
12 of exposure or bioaccumulation, but that any level of
13 exposure to PFAS at critical times can cause potentially
14 devastating health problems.

15 Two, shorter is not better. The introduction of
16 GenX and other short chain PFAS was based upon inadequate
17 and misleading scientific studies. Most of the assumptions
18 regarding their limited toxicity have been disproven. As
19 your own experts have noted we have very scant information
20 on short chain PFAS. They are easily absorbed in humans,
21 circulate in the bloodstream, cross the placenta, appear in
22 semen and breast milk, and bioaccumulate. They pose an even
23 greater risk since current filtration systems do not
24 adequately remove them. The proposed MCLs for the short
25 chain PFAS are far too high.

1 MR. OSTROWSKI: One minute.

2 DR. ELAINE CHOTTINER: Three, PFAS should be
3 regulated as a class. It is rare that we see contamination
4 by single chemicals and the health hazards are magnified by
5 cumulative exposure. PFAS don't belong in our water, our
6 wildlife, our food chain, our bodies, or our children. I
7 urge you to reexamine and significantly lower the
8 recommended regulatory levels for all PFAS including the
9 short chain compounds, to expand the regulations to cover
10 all PFAS as a class, and to commit to regular reviews of
11 emerging scientific studies in order to update these
12 standards as needed. Thank you.

13 MR. OSTROWSKI: Thank you. Okay. Andrea Wotan
14 and then Bill Creal after that.

15 ANDREA WOTAN

16 MS. ANDREA WOTAN: Hi. Andrea Wotan, A-n-d-r-e-a
17 W-o-t-a-n. First I want to thank EGLE very much for the
18 work you're doing. Obviously this is very important and I
19 appreciate the leadership you're taking. However, I would
20 like to ask you right now to cut all those limits in half.
21 And the reason is, I actually think that it's time in this
22 country, and frankly the world, that we have a zero
23 tolerance policy for contaminants in our most vital
24 resources like water. Every single one of us here today can
25 live without the products that are produced by companies and

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1 industries that use PFAS and then emitting to our water
2 system, but we cannot live without water. I totally support
3 everyone's comments that we need to have a total PFAS MCL
4 limit because I'm very concerned about the numerous types of
5 PFAS in our -- PFAS in our water systems. I'm also very
6 concerned -- concerned about the interaction the different
7 PFAS chemicals can have, but also what about this, our water
8 is not just being harmed by PFAS. We have concentrated
9 animal feeding operations that are emitting pollutants. We
10 have other. We have heavy metals. We've had lead. We've
11 got all kinds of attacks on our water. It's not just PFAS.
12 So we have to take the absolute most strict approach. I'd
13 like to see a zero. But since we can't do that, what I
14 would ask EGLE to consider is a staged approach where you
15 start with levels that are approved, but with the
16 notification to industry these are going to get changed over
17 time, they're going to come down so start changing your
18 processes now because we're going to come at you with much
19 lower limits in the future. Sorry. I'm very passionate.
20 I'm not mad at you. I'm mad at PFAS and industry.

21 The other thing I want to say is that we're all
22 talking about humans here. Humans are important, but what
23 about wildlife? What about aquatic life? What about our
24 vital ecosystems and microorganisms? Does anyone take them
25 into account when we are doing our analyses? I'm very

1 concerned that what we are considering is safe for humans
2 may be destroying our ecosystem. So I would -- I don't
3 really know what this means for EGLE because maybe this is
4 out of your scope, but I would like someone to be providing
5 input as to the impact on ecosystems and aquatic life of
6 PFAS.

7 So in the end, I'd like your limits to go down to
8 half. I'd like to have a total PFAS limitation and a staged
9 approach. Thank you very much.

10 MR. OSTROWSKI: Okay. Thanks. Okay. Bill Creal
11 and then after that, Bentley Johnson.

12 BILL CREAL

13 MR. BILL CREAL: My name is Bill Creal, C-r-e-a-l.
14 I support the proposed PFAS rules and urge their adoption.
15 However, this is another example of a crisis that results
16 when we do not require proper testing of chemicals before
17 they are widely used in our society. There is an alphabet
18 soup of such examples: PCB, DDT, and TCE are a few of the
19 names that we've dealt with in the past. I realize that you
20 have to address this latest crisis, but I also urge you to
21 take some of the energy that is generated from this crisis
22 to help put in place the necessary chemical testing
23 requirements to prevent the next crisis. Without this
24 prevention step in place, we are doomed to keep repeating
25 this crisis when the next chemical emerges. Thank you.

1 MR. OSTROWSKI: Thanks. All right. Thanks. And
2 Bentley Johnson and then after Bentley is Vince Caruso.

3 BENTLEY JOHNSON

4 MR. BENTLEY JOHNSON: Hi. My name is Bentley
5 Johnson, B-e-n-t-l-e-y, Johnson spelled the normal way. And
6 I'm the senior partnerships manager for Michigan League of
7 Conservation Voters and our executive director, Lisa
8 Wozniak, should be commenting later.

9 But I wanted to extend my gratitude for -- to EGLE
10 for moving quickly on these, on this standard setting
11 process, rulemaking process, and also to say thank you for
12 the statewide testing program because it's really critical
13 to understand, you know, where the problems are so that we
14 can tackle it. But really Michigan should -- should be a
15 leader in addressing the PFAS contamination crisis and that
16 will require strong maximum contaminant levels. And, you
17 know, based on the importance of clean, fresh water here in
18 Michigan and the fact that we are literally defined by it,
19 we should really have the strongest standards for PFAS in
20 the country across the board.

21 I sincerely hope that these standards will end up
22 being class-based, you know, protective of the most
23 vulnerable among us including the unborn, pregnant mothers,
24 and grounded in the best and most recent science. For
25 instance, I believe that the current science shows that the

1 MCL for PFHXS should be revised down and other states like
2 New Hampshire have recognized this and set a more stringent
3 standard.

4 I grew up in Ann Arbor and after moving away and
5 living in DC for about ten years was thrilled to move back
6 here with my family. I really believe that Michigan is the
7 best state in the country and the best place in the world to
8 live and one of the main reasons is the amount of clean,
9 fresh water that we have here. And after moving back,
10 though, I was really troubled and dismayed to learn about
11 the PFAS contamination in Ann Arbor's drinking water which I
12 drink and my -- my partner drinks and our two kids, age four
13 and one drink. And, you know, shortly after we moved back
14 my wife became pregnant with our second child and all
15 throughout her pregnancy and since then, you know, I've
16 wondered about the water that they've been drinking and the
17 potential for health effects. And I'm glad that, you know,
18 city officials have taken action to install filters at the
19 water treatment plant and we've, you know, had filters here
20 but, you know, they -- they drink water other places like at
21 daycare, at fam- -- you know, family member's house and
22 it's -- it's -- it's, you know, a worry that, you know, we
23 shouldn't have to be concerned with here.

24 So I would just finish with echoing the call to --
25 to really move this as strong as you can here and because we

1 appear as we're -- we're really on our own with the EPA not
2 taking quick enough action or strong enough action and
3 other, you know, federal agencies like the Department of
4 Defense really leaving us out to dry.

5 So I'm really hopeful that Michigan ca -- can be
6 the leader that we know it can be and that it once was on --
7 on our environmental protections, our health safeguards, and
8 I'm hopeful to see a -- you know, a final set of standards
9 that -- that we can really be proud of. Thank you.

10 MR. OSTROWSKI: Thanks. All right. Vince Caruso
11 and Anthony Spaniola.

12 VINCE CARUSO

13 MR. VINCE CARUSO: Hi. My name is Vince Caruso.
14 It's C-a-r-u-s-o. I'm with the CARD group, the Coalition
15 for Actual Remediation of Dioxane, and I'm also with the
16 Allen's Creek Watershed group here in Ann Arbor. I'd like
17 to thank EGLE for taking this effort to bring PFAS under
18 control to some extent.

19 Michigan is the Saudi Arabia of drinking water,
20 freshwater in the world. We need to make sure that we
21 maintain quality, fresh water for our children and our
22 children's children and many generations to come. I think
23 the standards you're setting are reasonably good. I think
24 the long chain PFAS should be more in line with the NRDC's
25 recommendation of low single digit numbers. I think like

1 some of the other speakers have said we should combine PFAS
2 into one standard so that we know what total exposures are.
3 I think we need to look more carefully at pregnant women and
4 what the special circumstances they have as well as infants.
5 We know that pregnant women and infants have special biology
6 that really need to be taken into consideration as being
7 more vulnerable.

8 I just want to talk about the fact that Ann Arbor
9 is paying a million dollars to put in treatment for PFAS
10 coming out of the Huron River. I think we should be
11 recovering those dollars which should prevent these costs to
12 communities like Ann Arbor. I'm glad to see that the state
13 of Michigan is -- is going forward with a suit against 3M to
14 recover some of these funds. Unfortunately, I just read
15 today that the Defense Department will not be required by
16 most accounts to do a cleanup of their sites in Michigan and
17 other states in the U.S. I think we need to make sure that
18 we follow the -- the toxicology of PFAS carefully and change
19 the standards as required. I think this is a new science
20 and I don't know that we really understand fully the effects
21 that these chemicals may have on humans and other biological
22 systems. These exposures are cumulative and I think that we
23 really need to look at possible historic exposures. I know
24 it's going to be hard to do that, but I think --

25 MR. OSTROWSKI: You have one minute.

1 MR. VINCE CARUSO: -- it would be very valuable to
2 get a handle on what exposures people have over the light --
3 several last decade or so because it's going to be health
4 effects that will be affecting Michiganders for a long time
5 I'm afraid and it'd be good to know if we have high levels
6 of exposures or moderate levels of exposures. We need to
7 get these products out of the carpeting, out of the food
8 packaging, out of all these other things that are exposing
9 us because it is cumulative. It's just not in the water.

10 I'm glad to see that we have a polluters pay
11 legislation pending with our Representative Yousef -- Yousef
12 Rabhi and Jeff Irwin -- Senator Jeff Irwin, to reinstate
13 polluter pay while Michigan used to have. Thank you so
14 much.

15 MR. OSTROWSKI: Okay. Thank you. Okay. Anthony
16 Spaniola and then Fred Iles.

17 ANTHONY SPANIOLA

18 MR. ANTHONY SPANIOLA: My name is Anthony
19 Spaniola, S-p-a-n-i-o-l-a. I am with the -- founding member
20 of Need Our Water, a community action group in Oscoda,
21 Michigan. I have other affiliations, but I'm also here on
22 behalf of my family and myself. I live in southeast
23 Michigan but we have a home in Oscoda which is ground zero
24 for PFAS in Michigan where it was first discovered in 2010,
25 almost ten years ago. And at my home in Oscoda -- and one

1 of my neighbors from Oscoda is here with me tonight -- we've
2 been advised that we can't drink our water. Like our
3 friends in Flint and growing numbers of people around the
4 country, we face every time we take an action that has been
5 second nature in our lives, having to stop and think about
6 it. What are we doing? Can you take a shower? We're
7 told -- we're told we can, but today I read that NI -- NIHS
8 has come out with a rat study showing that even dermal
9 exposure has the same level of risk in rats as drinking
10 water exposure.

11 So we've been at this a long time. This is a long
12 time coming and I want to first of all thank Governor
13 Whitmer for making the -- the appointment of the science
14 advisory panel and these rules as a top priority in her
15 administration. I want to especially thank her and EGLE for
16 including impacted citizens like me in the stakeholder
17 process. The recognition of impacted people as
18 stakeholders, it should be second nature but it hasn't been
19 in our state for far too long and it was a major step
20 forward and we were very appreciative of that.

21 The particular rules that are before us tonight I
22 think are, as many have said, an important first step and
23 it's important that the rules be adopted with some
24 improvements, but as soon as possible and let's be clear,
25 though, that the Governor signs panel specifically noted in

1 its recommendations that the science on these chemicals as
2 it has evolved and the trends are trending lower and so we
3 need to be vigilant, we need to stay on top of changes in
4 these chemicals. And it's important that -- that we
5 can't -- you know, we just can't wait for the science to
6 catch up. We need to regulate these chemicals as a class
7 ultimately and I think it's really important that we adopt a
8 composite approach. We were told in the stakeholder process
9 that there wasn't adequate scientific protocols to do that.
10 New Hampshire, I'm sorry, Vermont and Massachusetts are
11 doing that and scientists have informed me that the EPA
12 actually has a protocol for doing that and I'm happy to
13 provide it.

14 I want to make sure that the 11, I think it's 11
15 chemicals that were not subject to the MCLs are going to be
16 tested to a reliability level of the six parts per trillion
17 which is the action level that was recommended by the
18 scientific advisory panel. I know during the stakeholder
19 process there were some comments about that and I want to
20 make sure that's being done. Hopefully that can be
21 addressed in the questions afterwards. And the PFHSX number
22 is too high. That impacts us in Oscoda.

23 I agree with many of the other comments that were
24 made tonight. But I just want to remind everyone here that
25 we're not talking about an academic exercise. We're talking

1 about human beings. Come and see and visit my friends in
2 Oscoda, the folks here in Ann Arbor, people around the state
3 and around the country that I talk to have been exposed to
4 this for decades. We can't afford to continue to play
5 Russian roulette with future generations and it's important
6 that we not stop here with these rules and continue to push
7 forward, to do what the European Union is doing and that is
8 to phase these chemical out completely. Thank you.

9 MR. OSTROWSKI: Okay. Thank you. All right.
10 Fred Iles is next and after Fred is Robert Kerr.

11 FRED ILES

12 MR. FRED ILES: Hello. My name is Fred Iles,
13 I-l-e-s. And I think there's clearly a need for these
14 regulations but the -- the -- our goal here is to
15 incorporate regulations that are workable and effective in
16 order to at least be good public policy. So within the
17 regulations there needs to be a solution. I think we need
18 to offer some type of a solution to these companies that are
19 producing these chemicals. Now, earlier I think, Eric, you
20 mentioned that there was a company identified up in Wixom.
21 There was a large polluter and so they're going to be
22 written up. I mean, there's going to -- there's an issue
23 there but we have to provide some type of a solution and I
24 believe there's two types of solutions. And that is, first
25 of all, capture and the second is deconstruction and let me

1 say a little bit about capture. And that's been tried with
2 the filtration systems and I don't know how effective they
3 are. I know in Parkersburg, West Virginia, if you've seen
4 the movie Dark Waters, you'll be aware of the -- that was,
5 that was one of their solutions, to capture the CA, the
6 PFOS, that was in the -- in the -- went up through the
7 chimney and then filtered down onto the ground and into the
8 groundwater and then it -- so they had to filter the water.
9 Now, I don't know how effective those filtration systems
10 are, but I think you have to look at the airborne and
11 discharges there as well as the drainage discharges and the
12 solid waste as well.

13 And so now the other word that I used was
14 deconstruction and that is -- and I think -- I'm not a
15 chemist, but I know that they generally know how to
16 construct these different molecules and compounds. And if
17 they know how to construct them, there should be a way to
18 deconstruct them. And I don't know whether that technology
19 exists today, but it could be applied not only to these
20 chemicals but also to various plastics and other
21 contaminants. The --

22 MR. OSTROWSKI: You've got one minute.

23 MR. FRED ILES: One other comment is, if there is
24 a poss- -- maybe these chemicals can be reformulated so that
25 they're biodegradable. Maybe that will be a -- so

1 they're -- they don't -- they're not forever chemicals
2 anymore, but they're -- there's -- they're eventually will
3 by -- be gone after so many years or something like that.
4 Thank you.

5 MR. OSTROWSKI: All right. Thank you. Okay.
6 Robert Kerr, and then Aaron Pelo.

7 ROBERT KERR

8 MR. ROBERT KERR: Good evening. My name is Robert
9 Kerr, it's K-e-r-r, pretty simple name. I want to thank you
10 and the Governor for having these events. I think it's
11 really important that you all hear what everybody has to
12 say. I'm really hoping that these comments go back to your
13 organization and they're improved, things are improved.

14 I am Robert Kerr. I'm here to represent an
15 organization here in southeast Michigan called Wolf Pack.
16 Wolf Pack is an organization of 150 -- over 150 community
17 leaders and business people that gather together to work on
18 issues of environment. We -- we would like to say -- this
19 org- -- our organization would like to say we support the
20 new regulation numbers but would like you to continue to
21 work on reducing those numbers. We think it's very
22 important that these numbers are reduced for all our
23 exposures and I think we can get there with a lot of work.
24 We would like to encourage EGLE to push the numbers lower
25 and we'd like to also include all forms of the compound and

1 not just this -- the several that you've listed. Thank you
2 for all your leadership.

3 MR. OSTROWSKI: Okay. Thank you. Okay. Aaron
4 Pelo and then Rebecca Esselman.

5 AARON PELO

6 MR. AARON PELO: Hi. My name is Aaron, A-a-r-o-n,
7 P-e-l-o. First of all, thank you to MPART, the Department,
8 and Governor Whitmer for your efforts to educate and inform
9 on this issue. I know I personally feel at sea discussing
10 advanced toxicology.

11 I am legislative aide and director of constituent
12 services for State Representative Yousef Rabhi who
13 represents the 53rd district encompassing the southern half
14 of the City of Ann Arbor. I have a statement on his behalf.
15 He regrets he could not be here tonight. I'm not quite as
16 tall as he is, but hopefully I can stand in his stead.
17 We'll be sending this in post as well.

18 "I'm glad to see our regulators proposing
19 standards to protect the people of Michigan from the
20 toxic PFAS which build up in the environment and our
21 bodies, but these draft rules do not go far enough to
22 protect human health. For too long we have given
23 polluters the benefit of the doubt allowing them to put
24 millions of tons of chemicals out into our environment
25 without any safety testing. Only once entire

1 communities had already been poisoned did regulators
2 propose drinking water limits and cleanup rules. Due
3 to the negligence of polluters, the inaction of
4 previous administrations, and the willful dismantling
5 of environmental protection by lawmakers, communities
6 like Ann Arbor have been left on the hook for costly
7 water service improvements. That's obviously the wrong
8 way around. The proposed rule would set MCLs for seven
9 PFAS compounds, but there are an estimated 4700 PFAS
10 compounds.

11 How long would it take to do testing and
12 administrative rulemaking on each one? Longer than the
13 lifetimes of the people whose health will be ruined,
14 but unfortunately probably not longer than these
15 compounds will persist in our soil, streams, and
16 rivers. We must regulate PFAS as a class now to
17 prevent this entirely predictable environmental and
18 public health catastrophe. These proposed MCLs are a
19 step in the right direction but we can do much better
20 than that for the people of our state. Thank you."

21 MR. OSTROWSKI: Okay. Thank you. Okay. Rebecca
22 Esselman and then Jennifer Davis.

23 REBECCA ESSELMAN

24 MS. REBECCA ESSELMAN: Hello. I am Rebecca
25 Esselman. The last name is E-s-s-e-l-m-a-n. I am here on

1 behalf of the Huron River Watershed Council. HRWC has been
2 involved in efforts to address PFAS contamination in the
3 Huron River Watershed since the summer of 2018, when a do-
4 not-eat-fish advisory was issued for the entire watershed
5 because PFAS had accumulated in fish tissue beyond levels
6 that was safe for human consumption. During that time we
7 have gained practical knowledge of how changes in policy
8 regarding PFAS may affect cleanup criteria and how the
9 guidelines may be interpreted at the community level.

10 HRWC appreciates the work done by MPART and EGLE
11 to date and the pace of which action has been taken to
12 address PFAS contamination at the state level. This is very
13 encouraging. We believe the proposed rules and process for
14 establishing maximum contaminant levels for the seven PFAS
15 compounds being considered should be carried forward without
16 further delay and as quickly as possible. They are a vast
17 improvement from the absence of meaningful protection the
18 residents currently have.

19 That said, HRWC has some concerns regarding the
20 proposed health-based values used to inform the maximum
21 contaminant levels for the seven PFAS compounds. First, the
22 health-based values from MPART are an improvement from EPA's
23 guidelines, but new information coming from other states
24 suggest that some of Michigan's health-based values are
25 still way too high for specific chemicals. Second, the

1 health-based values don't include total PFAS contamination
2 levels similar to the cumulative -- cumulative level that
3 EPA recommends. EGLE needs to put a combined MCL in place
4 for total PFAS. Thirdly, PFAS should be regulated as a
5 class of chemicals. There are over 5,000 of them. And
6 placing regulations on some may simply make polluters use
7 other PFAS compounds. Class regulations or regulations on
8 sub classes would avoid the use of regrettable substitutes.

9 MR. OSTROWSKI: You have one minute.

10 MS. REBECCA ESSELMAN: MCLs -- fourth, MCLs for
11 PFAS should be based on scientific evidence to protect human
12 health and the environment. They should not be relaxed
13 based on economic, commercial, or industrial concerns.

14 Beyond these concerns regarding the MCLs
15 specifically, HRWC believes that the most complete and cost
16 effective solutions available for addressing PFAS is through
17 comprehensive watershed strategies in which sources of PFAS
18 are addressed proactively and in collaboration with
19 communities that use effective drinking water. It's far
20 cheaper for taxpayers to remove these chemicals from
21 groundwater and surface water at its source and are far more
22 protective of human health.

23 HRWC believes that collaborative solutions can be
24 found among communities and private sources of
25 contamination, and in such cases state leadership would be

1 valuable for working across municipal boundaries. This
2 would be a capacity in which EGLE and MPART could reaffirm
3 their commitment to environmental protection. We look
4 forward to new ideas and leadership from EGLE as maximum
5 contaminant levels for PFAS chemicals are established in the
6 near future. Thank you.

7 MR. OSTROWSKI: Okay. Thank you. Okay. Jennifer
8 Davis and then after Jennifer is Sue Shink or Sink.

9 JENNIFER DAVIS

10 MS. JENNIFER DAVIS: Hello. I'm Jen Davis. I
11 live in Ann Arbor. I've lived here for many years, grew up
12 in Saline. I feel privileged to be from Ann Arbor right now
13 because I see these regulations coming forward requiring
14 suppliers to test and stay within limits for the PFAS
15 chemicals which I think is an excellent step forward, but I
16 think we need to ask ourselves about who's paying to keep
17 those levels down and to stay in compliance. If we're
18 asking the suppliers to make -- to -- to step up to that
19 burden or we're asking the state of Michigan to reimburse
20 those suppliers, I think that's an unfair burden for us to
21 be putting on the citizens of Michigan who did not put those
22 contaminants into the water to begin with. I believe that
23 these steps are really important first steps, but I believe
24 that we need to go further. We need to find out how we can
25 put that pressure down and I think that legislatively we're

1 making steps in that direction, but I think in terms of
2 regulation we need to start making further steps in those
3 directions.

4 I also realize that it's beyond the purview of
5 this hearing, but in terms of PFAS contaminants in the
6 environment I have made great steps recently in my life to
7 try and move my food shed from a global food shed into a
8 local food shed. And I feel like looking through these
9 contaminants in the environment and other contaminants in
10 the environment being told that we cannot eat the fish, that
11 we cannot drink the water, that we cannot eat the deer in
12 some areas is beginning to tell us that our environment is
13 not a sustainable environment that we can consume from or
14 even recreate in, and we need to ask ourselves what kind
15 of -- what kind of things are we gaining at those losses and
16 what can we do to look further? Not just to the water, not
17 just to the fish, but to the produce. Is our local produce
18 safe to eat? Are the wild mushrooms and the wild plants in
19 our environment safe to eat? When we're going into our
20 Whole Foods or we're going into our Food Co-Op, are the
21 herbs that we're buying there safe to consume? Are these
22 PFAS chemicals there also? And, again, I realize that this
23 is beyond the purview of this specific hearing, but I think
24 that it's worth considering. That's it.

25 MR. OSTROWSKI: Thank you. Okay. Sue? Okay.

1 And after -- and that's Jim Egged.

2 SUE SHINK

3 MS. SUE SHINK: Good evening. My name is Sue
4 Shink. I'm a Washtenaw County Commissioner from District 2.
5 I thank EGLE and the state of Michigan for addressing this
6 issue.

7 The people in my district and in this county do
8 not want to be poisoned by PFAS and are asking you to use
9 your power to protect us, including the frail, the pregnant,
10 and the unborn. These chemicals were and are produced as
11 part of a private making enterprise. Their emission into
12 our environment and our bodies is an unacceptable
13 externalization of costs. The people and the government are
14 paying the cost through health problems, cleanup costs, and
15 losing the ability to use our environment for our pleasure,
16 including -- and our -- and our nutrition including eating
17 the fish out of our river and we're also losing our peace of
18 mind.

19 I understand that it -- what I'm about to say is
20 not within your purview, but it needs to be said and I hope
21 that the legislature will hear it. Clearly the
22 precautionary principal will be -- would be appropriate and
23 would help avoid these tragedies. Polluter pay is also
24 appropriate considering that profit making enterprises have
25 taken their profits and left the people in government to pay

1 the costs. I want to thank Senator Jeff Irwin and
2 Representative Yousef Rabhi for championing the bills that
3 would have polluters pay the cost of their pollution.

4 I also think that technical and financial help is
5 going to be needed for some of the water providers.
6 Regarding the benefit cost analysis, the people of this
7 state pay far too high a cost with our health, quality of
8 life, and our lives because polluters use our state's water,
9 land, and air as their trash can. We have asthma. We have
10 liver disease. We experience low fertility and low birth
11 rates and all of the other health effects that are listed as
12 being caused by these chemicals. Please do not undervalue
13 our health. I do worry a bit when you say that health is
14 going to be valued qualitatively, but that's because it
15 can't be valued. And I think that if you actually tried to
16 quantify the impact to our economy, that also would be
17 astonishing and far greater than the value of these products
18 ever, ever could present.

19 I urge you to use the boldest possible standards
20 in protecting our health. As detailed by the Michigan
21 League of Conservation Votes, the Huron River Watershed
22 Council, and other organizations that have spoken tonight,
23 other states have higher standards and higher standards are
24 possible. Our people do not deserve less. I would also
25 urge you to use at least a 50 percent relative source

1 contribution. We are exposed to this class of chemicals by
2 many routes, many without our knowledge or permission.

3 MR. OSTROWSKI: You have one minute.

4 MS. SUE SHINK: A total MCL standard would also be
5 appropriate as would be more research into synergistic
6 effects. There are likely other chemicals present in our
7 drinking water sources of which we are not yet aware. I
8 urge you to protect us by promulgating the most protective
9 standards possible.

10 And as a Washtenaw County Commissioner, I have
11 been working very hard to figure out the best approach to
12 deal with a problem that was exacerbated many years ago by a
13 lackluster state response, the destruction of an aquifer by
14 dioxane pollution, the Gelman dioxane plume. Please be
15 bold, please be strong, please protect us.

16 MR. OSTROWSKI: Thank you. Okay. Jim Egged and
17 then Diane Wright.

18 JIM EGGED

19 MR. JIM EGGED: Hi. My name is Jim Egged -- i-t.
20 How come nobody said -- spelled "it" for you?

21 MR. OSTROWSKI: What?

22 MR. JIM EGGED: See, you smiled. Well, you said
23 spell it; right? Anyway, it's E-g-g-e-d, Jim Egged. This
24 (indicating) is Hailey and she's one of the reasons why I'm
25 here. I come to you this evening as a firefighter and a

1 grandfather and I want to thank you for your efforts
2 tonight. I realize it's your job, but the sincerity in
3 which you perform the function of your assignments is
4 appreciated. I see you taking notes over there, so that's
5 good. That's a good thing.

6 Anyway, as a firefighter I was placed on the
7 Western Wayne Hazardous Incident Response Team. In the
8 course of executing the functions of my sworn duties, I had
9 the occasion to use AFFF firefighting foam. As a
10 firefighter, it was my sworn duty to protect those who look
11 to us for their safety. I have regret that as a firefighter
12 I failed in my obligation to protect the most vulnerable who
13 look to us, including this (indicating) one, in the use of
14 AFFF. I have poisoned her water with PFAS chemicals and as
15 a firefighter and hazardous incident responder, I should
16 painstakingly be aware of the chemicals we are dealing with
17 and use.

18 Now, as you know, PFAS builds up in the body over
19 time and can lead to significant health complications like
20 cancers, thyroid conditions, autoimmune disease and, you
21 know, the whole gamut. I'm 60 years old. She's only eight.
22 So you can imagine how much would be built up in her system
23 over time. In any case, that is why I'm here. Now that we
24 are aware of the consequences of the use of the long-term
25 effects of PFAS chemicals and the family of chemicals, I

1 want to work with the Department of, you know, EGLE but I'm
2 not going to list everything. I have it all listed and I
3 have a hard copy for you.

4 Anyway, the science based limits for the PFAS
5 contaminates are a significant step forward ensuring
6 Michiganders safe, clean drinking water. I'm almost done.
7 Okay. Furthermore -- this is not easy, especially if you're
8 eight.

9 MR. OSTROWSKI: I understand.

10 MR. JIM EGGED: The state should be -- set
11 combined limits for total toxic contaminants instead of
12 smaller limits for each chemical. Establishing a combined
13 total standard for PFAS contam- -- contaminants will set a
14 baseline ensuring Michiganders have safe, clean drinking
15 water. As concerned protectors of those who cannot defend
16 themselves, we need to guard against the resistance that
17 would-be profiteers who will fight these proposed
18 protections. This is why I'm entering my comments into the
19 public record, to ensure that the state hears our priorities
20 as they move forward in the process to protect the most
21 vulnerable among us. Thank you.

22 MR. OSTROWSKI: Okay. Thank you. Yeah, if you
23 want to leave those up there? Thank you. All right. Next
24 up is Diana Wright and then Stephen C. Brown.

25 DIANA WRIGHT

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1 MS. DIANA WRIGHT: My name is Diana Wright,
2 D-i-a-n-a W-r-i-g-h-t. I would like to acknowledge the
3 work that you've done, but I can't. As a former engin- --
4 retired engineering supervisor for one of the Big Three
5 automakers in Detroit, the data that I -- handling method I
6 saw was exactly what I would do if I was trying to hide
7 something. An average is the absolute worst statistical way
8 to look at data, and to average individual pieces rather
9 than considering the whole approaches irresponsibility.

10 In fact, I was in this room a year and a half ago
11 when a representative of the Ann Arbor water system,
12 treatment system, came in and said that they had at one
13 point detected multiple levers -- layers of polyfluorinated
14 chemicals -- don't ask me the alphabet soup -- but had only
15 reported on four that met the requirements because they
16 didn't know what the other requirements were. Therefore,
17 they ignored them and didn't report them publicly at all for
18 several months, until they were called forward. This is Ann
19 Arbor. Right here. Okay?

20 I'm disappointed that -- I can't say EGLE --
21 every -- is totally turning its back on groundwater just
22 because it's not in the state Safe Water Act. I would have
23 liked to have heard today that -- that you folks had made
24 recommendations through the Governor to promulgate the rules
25 that would include and give you authority over groundwater.

1 I didn't hear that. I think that's irresponsible.

2 MR. OSTROWSKI: You have one minute.

3 MS. DIANA WRIGHT: Okay. I think it's sad that I
4 heard somebody take credit for the cleanup in Wixom. I went
5 to the Wixom town hall meeting about a year and a half ago.
6 That was the Department of Agriculture. That good came long
7 last and late. It was the Department of Agriculture that
8 prohibited recreational fishing all the way from Wixom to
9 Lake Erie. Not you folks. Please don't take credit for it.

10 There's no plan for carbon disposal. There is no
11 list of best practices. I know from that Wixom meeting I
12 went to the plan was to incinerate it, but I also found out
13 that the incineration temperatures to destroy PFAS are
14 extremely high and higher than most commercial incinerators.
15 There's no best practices for communities to filter it out.
16 You wash your hands of it. For a regulatory agency to not
17 have best practices is beyond belief. You're acting in
18 response to the idea that a industry can put pollutants into
19 the water and it becomes the cities/municipal- --
20 municipalities to get rid of it. You're smart enough and
21 have the resources to go into a self-reporting and ask every
22 industry in Michigan that uses any of the chemicals that
23 you're interested to tell you. That's not in the ruling.
24 Why not? Do we need green ooze out on the freeway before
25 somebody pays attention? I understand --

1 MR. OSTROWSKI: Okay. Ma'am, you're over three
2 minutes.

3 MS. DIANA WRIGHT: Huh?

4 MR. OSTROWSKI: You're over three minutes now.

5 MS. DIANA WRIGHT: I would only ask for
6 stakeholders. I didn't see any hearings in Oscoda. I
7 understand there was zero detect on leaded lands. I have
8 some secondary information that you really ought to check
9 for the native housing outside of Wurtsmith and K.I. Sawyer.
10 I don't know if you did, but it wor- -- it's worth taking a
11 look. Thank you.

12 MR. OSTROWSKI: Okay. Thank you. Okay. Stephen
13 Brown and after Stephen is Charlotte Jameson. Go ahead.

14 STEPHEN BROWN, Ph.D.

15 DR. STEPHEN BROWN: Hi. Good evening. My name is
16 Stephen Brown. That's spelled S-t-e-p-h-e-n B-r-o-w-n, and
17 I'm here speaking on behalf of the Sierra Club. I'm a
18 member of the National Toxics Team. I have a Ph.D. in
19 chemistry. And I'd like to start off by saying that, yes,
20 these MCLs should be enforced ASAP as a decent first step.
21 However, there are some 5,000 known PFAS compounds that are
22 always present as mixtures, sometimes as very complex
23 mixtures. European studies over the last decade or so have
24 revealed that these seven PFAS chemicals that you're --
25 you're proposing to regulate represent only a small

1 percentage, some five percent to up to 25 percent of total
2 PFAS that are -- that manufacturers have been allowed to
3 include in their consumer products and freely discharge into
4 waters.

5 I would like to reinforce this comment that you
6 should maintain a six part per trillion detection limit and
7 report those as not zero, but less than six part per
8 trillion as is normal for any analytical chemistry result.
9 Now, there have been little to no health studies on these
10 7,000 compounds. The absence of information is not
11 information about absence, but threats to public health.
12 The proposed MCLs in other states are already below those
13 proposed here in Michigan in many -- in several cases
14 because of emergent data during the past year. I would urge
15 EGLE to do an annual review of the scientific literature,
16 what's going on in other states as well as European
17 countries and Japan and Australia, and to annually update
18 these MCL limits, provide a mechanism for regularly updating
19 these limits as new information becomes available.

20 Now, all of these PFAS compounds are potentially
21 equivalent threats to the health of in utero and young
22 children from the ages of one to five through both prenatal
23 and postnatal exposures. Now PFAS, PFOS, and PFOA have been
24 marketed since 1950 and only now have recent public health
25 studies extrapolate that exposures where real effects can be

1 observed are as low as under one part per trillion.

2 MR. OSTROWSKI: You have one minute.

3 DR. STEPHEN C. BROWN: Okay. So in these most
4 vulnerable populations. So recent data indicate that both
5 GenX and Nafion byproduct, too, cause adverse health effects
6 at lower levels than those which are currently proposed. So
7 this reinforces the fact these values should be annually
8 reviewed and reduced when indicated. So again these given
9 exposures are -- these exposures to PFAS are always as
10 mixtures, so I think MPART must take a more comprehensive,
11 class-based approach to PFAS as already proposed or
12 instituted in other states such as Massachusetts, Vermont,
13 and recently California as has been outlined by other
14 speakers. Senator Peters has already submitted about a year
15 ago federal legislation to regulate PFAS as a class and as
16 yet there is no regularly, universally accepted assay for
17 PFAS as a class. And I would urge you to go -- to look into
18 the total organic fluorine assay. This is the assay that's
19 been used in Europe to look at wastewater and drinking
20 water, to assess the total PFAS burden in these -- in these
21 matrices.

22 MR. OSTROWSKI: Okay, sir. You're over three
23 minutes now.

24 DR. STEPHEN C. BROWN: Done.

25 MR. OSTROWSKI: Okay. Thank you. Okay.

1 Charlotte Jameson, then after Charlotte is Lisa Capozza. Go
2 ahead.

3 CHARLOTTE JAMESON

4 MS. CHARLOTTE JAMESON: Oop. Didn't have to do
5 that. Hi. Charlotte Jameson, J-a-m-e-s-o-n, like the
6 whiskey. I'm with the Michigan Environmental Council. We
7 strongly support setting science based drinking water
8 standards. We think this is a critical step in the right
9 direction and applaud EGLE and Governor Whitmer for
10 undertaking this effort. However, we do have several
11 recommendations that we think would strengthen the rules.

12 One, as has been mentioned repeatedly tonight, we
13 believe strongly that EGLE should set a cumulative standard
14 for these seven compounds of PFAS. Health-based values
15 don't include this total PFAS contamination level, so in
16 addition to setting the numeric standards for individual
17 compounds of PFAS, the state should set a cumulative limit.
18 A cumulative limit would better protect the public against
19 additive or synergistic effects from exposure to multiple
20 PFAS chemicals. It would also create a level of protection
21 for residents exposed to multiple of these chemicals at the
22 same time.

23 We should also regulate PFAS as a class. Again,
24 there are several thousand of these compounds and placing
25 regulations on some may simply cause manufacturers or others

1 to switch to other forms of PFAS to escape regulation. So
2 we strongly believe that the most effective way to go about
3 regulating PFAS is as a class. Additionally, the science
4 around PFAS is obviously evolving relatively fast. As new
5 toxicity information comes in we think that there should be
6 a mechanism built into the rules to ensure that we are
7 regularly reevaluating the health impacts of PFAS.
8 Specifically we would require -- we would ask that in the
9 rules there is a requirement to do a health review two years
10 after the implementation, the first round of implementation
11 of the drinking water standards. This --

12 MR. OSTROWSKI: One minute.

13 MS. CHARLOTTE JAMESON: -- this would ensure that
14 we are looking at that and revisiting the health standards
15 to make sure that we're being protected.

16 And finally, we think that we should conduct at
17 least three years of quarterly sampling before we move to
18 allow water plants to go to annual or six month sampling.
19 We just don't know enough about how PFAS moves in the
20 environment or if there are seasonal changes to discharge.
21 A three-year sample, quarter sampling, would give the
22 Department a really good base of information to better
23 understand when we could see spikes in PFAS or if there are
24 seasonal issues at play. So, thank you.

25 MR. OSTROWSKI: Okay. Thank you. Okay. Lisa

1 Capozza and then Rebecca Meuninck, Meuninck (pronouncing).

2 LISA CAPOZZA

3 MS. LISA CAPOZZA: Hi. Lisa Capozza,
4 C-a-p-o-z-z-a. I've lived in Ann Arbor since 1979 and
5 usually near the Huron River. When I first came here as a
6 college student, it wasn't recommended to swim in the river.
7 It was considered hazardous. And just in the last maybe
8 five or ten years it seems that we have been able to swim
9 and enjoy the waterway more for recreation, for wildlife
10 enjoyment, or just even noticing wildlife as -- as a way of
11 enriching our own lives. And I started swimming in the
12 Huron just I think about two years ago. I dare to do it
13 and -- and it was grate.

14 But last I year noticed -- I leave near Barton Dam
15 and I noticed that at the -- at the bottom of the dam where
16 the water discharges under the dam the -- the foam was
17 extraordinarily voluminous and I was told it was PFAS and it
18 just -- it really kind of broke my heart to think of all the
19 wildlife and not -- not to mention all -- not even thinking
20 about the effects on the humans just for a second, but just
21 all the other life that also depends on the Huron River
22 water quality.

23 So that is -- I'm so happy that people are
24 responding to this and I would ask that you make sure that
25 we have as much safety as possible in our water and prevent

1 more pollution. Thank you.

2 MR. OSTROWSKI: Okay. Thank you. Rebecca,
3 Rebecca Meuninck and Roger Rayle.

4 REBECCA MEUNINCK

5 MS. REBECCA MEUNINCK: Hi. My name is Rebecca
6 Meuninck. That's R-e-b-e-c-c-a M-e-u-n-i-n-c-k. I'm the
7 deputy director of the Ecology Center based right here in
8 Ann Arbor, Michigan. And for nearly 20 years I've worked to
9 protect Michiganders from toxic chemicals in the products we
10 use every day and in the homes that we live in. Because of
11 my work, I know a lot about toxic chemicals and I do my best
12 to protect myself and my family. I make sure my home
13 renovations are lead safe. I buy nontoxic cosmetics and
14 cleaning products. I avoid products with phthalates, flame
15 retardants, and of course PFAS, and I work to educate others
16 in the state and in my community on how they can reduce
17 their own exposures.

18 Despite all of my efforts and all of my knowledge
19 about environmental toxicants, my family and I have been
20 drinking PFAS contaminated water here in Ann Arbor for
21 several years at least. Thankfully, Ann Arbor's water
22 treatment plant stepped up and installed gap filters to
23 capture the PFAS. But without strong healthy standards that
24 are -- that we need here in Michigan, other residents in
25 other places may not be so lucky.

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1 I do applaud EGLE, MPART, and Governor Whitmer for
2 taking this critical step to set drinking water standards
3 for these seven PFAS. It is a step in the right direction.
4 However, as we've heard from many others, the proposed
5 standards are not strong enough to truly protect
6 Michiganders' health. There are three improvements that the
7 Ecology Center is calling for. We're also submitting more
8 detailed, written comments that I won't be able to go into
9 detail on in the next few minutes.

10 First, as we've heard from others, the state must
11 protect our most vulnerable residents from PFAS exposure by
12 considering those populations and the most vulnerable
13 populations and most sensitive health end points. We've
14 heard from other folks about pregnant and nursing moms, the
15 elderly, ill, fetuses, and children. We should also
16 consider our workers' exposure and the additional exposure
17 they may have on the job. Moreover, these same populations
18 often do have higher exposure than the rest of us do as
19 adults.

20 MR. OSTROWSKI: You have one minute.

21 MS. REBECCA MEUNINCK: We need to consider those
22 things. Anything else -- anything less is unacceptable.
23 Second, the state should take a class-based approach like
24 we've heard from others to set PFAS drinking water
25 standards. In reality, as we've heard, the tests that have

1 happened in Michigan have shown more than one PFAS chemical
2 in the -- in the drinking water samples that have come
3 through. We need to consider chemicals as a class. If not,
4 we're ignoring the likelihood of synergistic effects and
5 cumulative effects.

6 Third, the state must consider the most recent
7 science in considering -- in setting our PFAS MCLs. Newer
8 analyses have already been released in recent months and
9 have not been considered in the MCLs that have been
10 proposed. The science on the health impacts of PFAS is
11 rapidly developing. Setting out a plan to reevaluate and
12 strengthen our standards is very important and the new
13 studies to date must be considered now as we plan to -- and
14 make a plan to reevaluate the standards in the future.

15 All eyes are on Michigan right now. I hear from
16 many folks of other states who are looking at us as we're
17 setting our standards and we have the opportunity to lead
18 the country and set the most health protective standards to
19 date. We have lead the country in testing our water
20 systems. We shouldn't al- -- shouldn't we also lead in
21 ensuring that they are safe to drink? Thank you.

22 MR. OSTROWSKI: Okay. Roger Rayle and then
23 Denise. That's all I got. Okay.

24 ROGER RAYLE

25 MR. ROGER RAYLE: I'm Roger Rayle, R-o-g-e-r

1 R-a-y-l-e. I'm a citizen of Scio Township. I'm also chair
2 and cofounder of Scio Residents for Safe Water, a nonprofit
3 watching over the Paul Gelman contamination and chair of
4 CARD as was mentioned before, the local government and
5 citizen group watching over the same. But I'm here as a
6 citizen today because PFAS is like the other forever
7 chemicals that are very mobile and persistent. It takes so
8 long to -- it's there forever. It's one of these forever
9 chemicals and dioxane is in that same class, so I've been
10 watching over PFAS like I've been watching over the dioxane.

11 Forever chemicals are game changers for
12 regulators. You guys have a big task ahead. The time
13 scales we're talking about here are very long. But Michigan
14 still bases its regulations on a 32-year lifetime exposure.
15 Thirty-two years is basically one generation. So instead of
16 the Native American guideline of seven-generation rule,
17 Michigan uses a one-generation rule and that's not going to
18 work for PFAS and these other forever chemicals. We have to
19 think in very long timelines and we have to tighten the
20 standards accordingly we're going to be dealing with for a
21 long time, especially when you consider that PFAS
22 bioaccumulates and passes from mother to fetus, so right
23 there you have two generations. Other states still use what
24 Michigan used to use, a 70-year lifetime exposure, but of
25 course with these forever chemicals, if they get into the

1 genome or if they pass from mother to fetus, we may -- may
2 have to adjust the 70-year lifetime to be even longer.

3 Thank you.

4 MR. OSTROWSKI: Okay. Thank you. Okay. I got a
5 card that says "Denise." I don't know if that's -- okay.
6 That's all I got. Thank you. And then after that is Lisa
7 Wozniak.

8 DENISE KIRCHOFF

9 MS. DENISE KIRCHOFF: Hello. Denise Kirchoff,
10 K-i-r-c-h-o-f-f. I never write it because people just
11 butcher it. Okay. In full disclosure, I'm a member of the
12 Michigan Environmental Caucus and a member of Waterkeepers
13 United. I want to thank EGLE for doing what they're doing,
14 but I -- I think -- and -- and the Governor -- but I think
15 we really need to be honest and I think what you haven't
16 told people is I've heard a lot of people come up and ask,
17 "Well, what about rivers? What about our waterways?" I
18 think what people don't understand is that under the new --
19 the new administration's Rule 13778, which actually weakens
20 water pollution which actually weakens our Clean Water Act.

21 We have a lot of PFAS in our rivers and our lakes.
22 The only thing that EGLE can really legally do is do -- is
23 take care of what's called surface, I think it's what called
24 surface lakes. And that's basically -- I -- I think I
25 walked in and I actually heard you talking about surface

1 water. Any standing negative water which is what considered
2 maybe a river, river or a well, or where like these ladies
3 live when I heard them talking and they were saying that
4 they had no response. I understand why they had no response
5 because legally you're not obligated to clean that up or to
6 take care of it with the weakened rules. But I would truly
7 encourage you to think about maybe finding a way of
8 bypassing the New Clean Air, or as it's been called, the
9 replaced Clean Air -- Clean Water Act which is a federal
10 act. And I understand that we're the state and, you know,
11 we have to work within federal guidelines. But also these
12 women -- and other people need to be told -- why can't --
13 why can't EGLE help with the rivers? Why can't EGLE help
14 with the PFAS that are in the wetlands? And I think not
15 expressing to people what the limitations are and what
16 you -- what you can't do is basically lying to us. I -- I
17 think maybe you need to consider that. There has to be a
18 way, I think there's always a way, of all -- around all
19 federal regulations.

20 MR. OSTROWSKI: Thank you. Lisa Wozniak and then
21 after Lisa, Gerard Charbonneau.

22 LISA WOZNIAK

23 MS. LISA WOZNIAK: Good evening. Thank you very
24 much for holding this hearing, both here and in Roscommon
25 and in Grand Rapids. It's very important that you get this

1 public comment from the myriads of people that are turning
2 out and they're representing a lot of others that -- that
3 can't -- can't be here for a lot of reasons.

4 Again, my name is Lisa Wozniak, W-o-z-n-i-a-k. I
5 am a 23-year-old -- a 23-year resident of Washtenaw County,
6 Ypsilanti. I've been here for longer than that. And I'm
7 also the executive director of the Michigan League of
8 Conservation Voters.

9 I grew up on the west side of the state. I grew
10 up swimming in Freska Lake which is -- now has very, very
11 high contamination levels for the fish. My high school
12 teachers and some of my best friends are in the Belmont area
13 and have been dealing with the Wolverine World Wide issue,
14 filtration systems in their homes, blood counts that are not
15 pretty. And I've -- I can only imagine what my -- my
16 children and I have been exposed to by simply recreating in
17 Freska Lake over the years.

18 I'm here tonight to urge you to move very quickly
19 to set a strong standard for PFAS that is based on the best
20 possible science and its protection of public health. In my
21 role at the Michigan League of Conservation Votes which I've
22 held for 14 years and my work in this area, which actually
23 expands almost three decades, I have had the great fortune
24 to meet and interact with individuals and communities all
25 over this incredibly beautiful state. Some are amazing,

1 long-term community organizers, some are scientists and
2 engineers, some are business men and women, lawyers, nurses,
3 doctors, teachers, social workers; tonight we heard from a
4 firefighter. And in recent years the interest in engagement
5 has grown with significant numbers of people never having
6 had any interest or intent on becoming a water advocate, an
7 activist around the protection of their drinking water, and
8 yet there they are. They're in Grand Rapids, Ann Arbor,
9 they're in Roscommon and Oscoda, they're in Parchment and
10 Detroit and Madison Heights. List is -- it grows by the day
11 it seems. People are scared, they're angry, and they're
12 baffled by how and why a state literally defined by water,
13 surrounded by water, more than 1.9 million Michiganders
14 could have some level of this toxic contaminant in their
15 drinking water.

16 MR. OSTROWSKI: You have one minute.

17 MS. LISA WOZNIAK: It is -- it is clear that we
18 cannot delay action in protecting our communities' health.
19 And as you've noted, PFAS builds up in the body over time
20 and it can lead to significant health complications, many of
21 which we've heard about tonight: cancers, thyroid
22 conditions, autoimmune diseases. We know that these
23 chemicals pose imminent threats to our health.

24 Michigan was once a leader. We've heard about
25 that. In fact, we had someone here in the audience

1 recently -- she had to leave -- but was the author of the
2 Polluter Pay Law in the state and now Senator Irwin and
3 Yousef Rabhi have to pick up that piece all over again and
4 reconstitute that if things go their way. Thank you very
5 much to those two leaders for doing that.

6 But as we look at the numbers of contaminated
7 sites it's clear that we have to step out and become the
8 leader that we once were in the -- in this state and for
9 this country. We have a president that said he will repeal
10 the PFAS Action Act that was passed in the House of
11 Representatives just last week. He will -- he will -- he
12 will veto it. So I highly urge the -- the EGLE to move
13 forward with very, very strong rules and I also want to say
14 that for all of my friends, family members, colleagues who
15 are trying to have families and who are frightened, they're
16 looking to you for leadership. They don't want to have fear
17 in the idea of having children.

18 Finally, I'm a runner. I get out into the woods
19 and on the paths of the mighty Huron River as often as I
20 can, and I will tell you that over the last couple of years
21 I've seen more spots of what Lisa, the other Lisa, indicated
22 are these big, big swaths of foam. It's hard to say
23 whether --

24 MR. OSTROWSKI: Ma'am, you're over three minutes.

25 MS. LISA WOZNIAK: -- I'll close right now. It's

1 hard to say whether these big blobs -- blobs of foam are
2 PFAS, but I'm committed to documenting all of my sightings
3 and submitting them to EGLE for investigation. Thank you
4 very much.

5 MR. OSTROWSKI: Okay. Gerard Charbonneau, and
6 after Gerard is PDeisha Myles. Gerard, are you here? Okay.
7 We'll come back to you in a minute if you're not -- if
8 you're outside. So Pdeisha Myles? Is that you, ma'am?
9 Okay. Then it's going to be John Machowicz.

10 PDEISHA MYLES

11 MS. PDEISHA MYLES: Hello. My last name is
12 spelled M-y-l-e-s. I believe that the purity of nibi -- and
13 that's the Ojibwe word for water -- is the measure of
14 corruption in government. Officials who sell out our water
15 for the profits of corporations must be voted out in 2020.
16 Officials and corporations who imperil the health of the
17 public must be punished. Gary Sayers who went to jail
18 recently for that green ooze in Macomb County, I -- I just
19 don't think that's enough. He's imperiling the health of
20 many people and generations, and now they're finding that
21 there is pollution in the property in Detroit and that's
22 going into the Detroit River. And I drink YCUA water --
23 Y-C-U-A water. I live in Ypsilanti Township and now I fear
24 drinking my water.

25 Water is under assault in many directions. I

1 worked with the Ban Fracking campaign and fracking creates
2 wastewater and they try and find vulnerable communities to
3 build their injection sites to put that contaminated water
4 here. Gitche Manitou and Mother Earth, they give us this
5 beau- -- beautiful fresh water to live and what do we do?
6 We put contaminated water back into -- into the rock.

7 A corrupt government is -- is not normal. It
8 doesn't have to be that way. We can have a good government.
9 We can have a non-corrupt government --

10 MR. OSTROWSKI: Ma'am, you have one minute.

11 MS. PDEISHA MYLES: -- who thinks about the
12 seventh generation and not just the short-term profits and
13 corporations. And as people, we can make decisions also. I
14 don't eat that microwave popcorn anymore. You know, they
15 put the PFAS in there so it slides out of that container
16 easy. We don't need that. We don't need dental floss.
17 It's got that PFAS on there to make it glide in your teeth.
18 We don't need that either. We can make decisions on our --
19 regarding this. We can live without these things, but we
20 cannot live without water. Thank you.

21 MR. OSTROWSKI: Okay. Thank you. Okay. John,
22 you're next, and then after John is going to be Kathy Smith.

23 JOHN MACHOWICZ

24 MR. JOHN MACHOWICZ: My name is John Machowicz,
25 that's J-o-h-n M-a-c-h-o-w-i-c-z, and I am with the

1 Michigan Residents Against ET Rover, and also Livingston
2 PFAS Awareness.

3 Innocent until proven toxic. I'll say that one
4 more time. Innocent until proven toxic. What that means is
5 we let these bad corporate actors, you know, dictate policy.
6 And I'm talking about guys like E.I. Dupont, 3M, or let's
7 also mention E.I. DuPont's new name of their new company
8 called Chemours, that are creating all new generation of
9 PFAS chemicals. Others tonight have echoed that there's
10 over 5,000, you know, I've heard 7,000 different varieties
11 of PFAS.

12 What I want to talk about is what are we doing on
13 the front end? I mean, all of this is all band-aid
14 approaches. What are we doing to stop these guys from even
15 introducing these chemicals in the first place? I mean,
16 again, innocent until proven toxic. I've had some very,
17 very -- I had a hard time trusting the old MDEQ. I mean,
18 after all, they brought us Flint water and then we had the
19 Nestle water theft, Wolverine. We can go on and on. We can
20 talk about the disaster over with Enbridge over in
21 Kalamazoo, also ET Rover, the 120 million gallons of
22 gasoline contaminated water dumped directly into Hell Creek
23 which goes into the Huron River Watershed. I mean, it goes
24 on and on. I'm hopeful that EGLE is -- is -- is a new
25 organization and it's something besides just a new name

1 change because under the MDEQ, I mean, we had -- we had just
2 disaster after disaster. We tried to work with the folks
3 over at the local offices. We were stonewalled many times.
4 Interference was run and it was --

5 MR. OSTROWSKI: One minute.

6 MR. JOHN MACHOWICZ: -- very, very difficult to be
7 able to get anything done. You know, it's frustrating.
8 It's frustrating. I live in Livingston County. I'm right
9 in the heart of this whole PFAS thing with the Huron River
10 and it's -- it's -- you can't go out on the lakes. You
11 can't fish the way you used to fish, you can't swim the way
12 you used to swim, and it's very, very frustrating. And I
13 think, you know, that you have to look at what are you going
14 to do to stop these guys from introducing these chemicals?
15 Because what we're doing is we're counting on you guys to be
16 the experts. We really are. And if you're not the experts,
17 then the decisions that have been made in the past have been
18 inadequate to the task.

19 MR. OSTROWSKI: Okay. Thank you. Okay. Kathy
20 Smith? Kathy?

21 MS. KATHY SMITH: Yes.

22 MR. OSTROWSKI: And then we're right up on 8:00
23 o'clock, but we just got a few more cards here. After Kathy
24 is Jeff Hayner.

25 KATHY SMITH

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1 MS. KATHY SMITH: Kathy Smith, K-a-t-h-y
2 S-m-i-t-h. I live here in Ann Arbor, but I've had a summer
3 cottage on Portage Lake which is part of the chain of lake
4 off the Huron River in Washtenaw and Livingston County.
5 These people that have spoken tonight have been absolutely
6 wonderful. They have all this information, they're so
7 passionate about it and I applaud them. I'm here as Aven
8 and Carson's grammy. These (indicating) are my
9 grandchildren, three and one years old.

10 Seventy years ago my grandparents bought a summer
11 cottage on Portage Lake. My uncle was lost during World War
12 II and he received benefits from the government. My grandma
13 decided that she was going to do something good with that
14 money and she bought a summer cottage for all of us and for
15 future generations. Now I'm worried. I have this
16 three-year-old and one-year-old grandchildren. Can I bathe
17 them? They certainly can't take -- you know, can't drink
18 the water. I have a nice area where they can swim, but I
19 noticed in the fall there was all this foamy stuff that I
20 said that has to be the PFAS.

21 I would urge you -- I would urge you, when you
22 take a look at my grandchildren, all the other
23 grandchildren, all the other unborns, please lower these
24 standards and please take a look at all of it. Thank you.

25 MR. OSTROWSKI: Thank you. Okay. Jeff Hayner is

1 next and then after Jeff is Jeff Irwin.

2 JEFF HAYNER

3 MR. JEFF HAYNER: We're going to close up with a
4 couple Jeffs here. That's okay.

5 MR. OSTROWSKI: Yeah.

6 MR. JEFF HAYNER: My name is Jeff Hayner and I
7 stand before you as a resident of the city of Ann Arbor, and
8 also I'm -- I represent the first ward of the city of Ann
9 Arbor on Ann Arbor City Council, so that's -- I'm
10 responsible for about 25,000 neighbors and 120,000 overall,
11 and actually I'm -- I'm really here because I'm responsible
12 for the Huron River Watershed, most of which runs -- a great
13 deal of which runs through the first ward. So I'm here to
14 listen and also to comment on the standard specifically.

15 When we adopt a standard, I think it's great that
16 we're doing it. We join the 20 percent other states that
17 have bothered to do so and we realize that the federal
18 government is slow to act in some cases and quick to act in
19 others and it's important to look out for the waters of the
20 state of Michigan, of course.

21 So the City of Ann Arbor as you know is spending
22 around a million dollars a year to deal with the PFAS issue
23 that's before us and the majority of that comes from our
24 reliance on the surface waters. We get about 75 percent of
25 our water from the Huron River and so we are beholden to

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1 those who pollute upstream from us. And we're -- in a way,
2 we're kind of caught between two polluters because we
3 have -- we have to mix, of course, our -- our surface water
4 with our groundwater and one is polluted with the PFAS and
5 other things and the other is polluted with dioxane. And so
6 I've had a decent amount of experience with DEQ and now EGLE
7 working with that, and the standards for that have been
8 appropriately lowered and, of course, we spent millions and
9 millions of dollars in court trying to get the polluter to
10 conform to these new standards and that -- that's not
11 appropriate.

12 And so I'm here to support these standards and
13 also the things that many, many folks spoke before me,
14 especially on consolidating the standards and having one
15 common standard. The problem is when we create these
16 standards, we're creating basically a unfunded mandate for
17 the communities. Now, the city of Ann Arbor is -- is
18 fortunate in some respects in that we're a community that
19 can afford to do these kinds of things. If it adds 8 to \$10
20 a year, or a quarter, rather, to my water bill, you know,
21 say -- say -- what is it? -- ten cents for every one cubic
22 foot or whatever that million dollars cost me, that --
23 that's fine. I'm lucky that we can afford it. Of course,
24 we all know standards should be zero and the CDC would say
25 zero and the only thing I want in my water is hydrogen and

1 oxygen in proper proportions. And, you know, we don't get
2 that and I understand that zero is inappropriate because we
3 can't measure zero and that -- that's fine.

4 MR. OSTROWSKI: You've got one minute.

5 MR. JEFF HAYNER: But -- but what we don't want to
6 be is caught in a situation where the mandate is so low that
7 we can't keep up with it and then what are we to do? There
8 was promises that an environmental bond was going to be
9 floated in this year's -- last year's budget and hopefully
10 it will be in this year's budget and so we appreciate
11 Governor Whitmer suggesting that putting this group
12 together. We know that we can't have unfunded mandates like
13 this. And so I urge us to set them as low as possible to
14 set a good standard for the rest of the country to follow,
15 but to also understand that with that comes a big
16 responsibility, that that standard is a tool and that tool
17 has to be used by EGLE and the AG's office in other ways
18 around the state, that we have to address things like the
19 MS4 permits and NPDES discharge permits and we have to crack
20 down on these polluters that are polluting the waterways and
21 passing their problem off downstream. It's just completely
22 inappropriate.

23 So I applaud you for bringing these standards
24 forward in what is a -- a -- really a timely manner and
25 relatively quickly, but you also need to, of course, as

1 others have said, crack down on this. We need the polluters
2 to pay and we need the polluters meet these standards to be
3 applied to the polluters as well as the creators of fresh
4 water. It's all we can do to, to get everything else out of
5 our water and prepare our water and do that 20 million
6 gallons a day that the City of Ann Arbor does for Ann Arbor
7 and its residents. But these tools need to be used on the
8 other end. It's important that the surface water standards
9 are -- are strengthened as well, and maybe more so
10 because --

11 MR. OSTROWSKI: Okay, sir, you're over three
12 minutes.

13 MR. JEFF HAYNER: -- of our dependency on surface
14 water. So thank you for your time.

15 MR. OSTROWSKI: Thank you. Okay. Jeff Irwin, and
16 then after Jeff is Monica Ross-Williams.

17 SENATOR JEFF IRWIN

18 SENATOR JEFF IRWIN: All right. Good evening. My
19 name is State Senator Jeff Irwin, I-r-w-i-n. On behalf of
20 the people of the 18th District, I want to thank EGLE for
21 coming tonight and providing this opportunity. I want to
22 thank Governor Whitmer and EGLE's leadership for putting
23 these standards forward. I think it's important to
24 acknowledge that we need these standards and that we
25 appreciate that these standards are being talked about.

1 However, I want to add to the chorus of voices
2 that you've heard tonight that have said that these
3 standards could and should be improved. And without getting
4 into -- into the technical aspects, I do want to say that
5 one of the most important weaknesses to this proposal is
6 that it does not treat the PFAS chemicals as a class of
7 chemicals. And one of the things we know from our
8 experience with PFAS, starting with PFAS and PFOA, that when
9 the government starts to take action against some of these
10 chemicals, industry moves to other chemicals and oftentimes
11 we're told that they're safer and then we find out years
12 later that they're not. And we've been around this carousel
13 over and over with these PFAS chemicals. It started with a
14 couple, and then we saw the move to other shorter chain
15 chemicals that were supposed to be safer and found out those
16 are dangerous, then we moved to new chemicals.

17 Regulate these chemicals as a class. Regulate all
18 of them or else we're going to be playing this cat and mouse
19 game for too long and it's going to affect too many of these
20 people's health. An example, right here on the Huron River
21 we know that there are possibly many sources of PFAS in the
22 river, but we know for sure that Tribar Plating up in Wixom
23 is a major source. Tribar Plating is still using shorter
24 chains PFAS chemicals to put that fancy plating on their
25 products. And why are they doing that? They're doing that

1 because we regulated other PFAS chemicals, but now they're
2 still discharging FPAS into the river and that PFAS is still
3 coming down river to the over 100,000 people who are
4 drinking Ann Arbor's municipal water.

5 And so I would urge the Department to get ahead of
6 this cat and mouse game and regulate all these chemicals as
7 a class because we've already seen what happens when you
8 don't.

9 The final thing I want to say is we really also
10 need a cumulative standard. When -- when -- when we tell
11 citizens that there's a standard for this and a standard for
12 that, and then they see that their water is below some of
13 those standards, we're giving them the message that this
14 water is safe but we're not giving them the picture of
15 whether or not the water is safe in a cumulative sense
16 because that's not what's being analyzed. That's not what
17 the Department is enforcing against. Please look at the
18 whole impact of all these chemicals together so that when
19 someone looks at their report from the water treatment plant
20 and they look at the standard, they can feel solid that that
21 information that they're basing their -- their choices on is
22 real. Because the one thing I've learned in 20 years of
23 watching these environmental issues is that chemicals almost
24 never -- we never find out that they're more safe than we
25 thought they were. We're always finding out that they're

1 more dangerous and more dangerous. And in a state like
2 Michigan where our environmental laws are so weak, we need
3 to get ahead of the next PFAS.

4 So I thank you for coming tonight. I -- I urge
5 you to enact standards as quickly as possible and I urge you
6 to enact standards that are reflective of the cumulative
7 impact and reflective of the whole family of PFAS chemicals.
8 Thank you.

9 MR. OSTROWSKI: Thank you. Okay. My last card is
10 for -- we got one more or --

11 MS. MONICA ROSS-WILLIAMS: Yeah. I think. I'm
12 Monica.

13 MR. OSTROWSKI: -- yeah. This is for Monica
14 Ross-Williams?

15 MS. MONICA ROSS-WILLIAMS: Yeah.

16 MR. OSTROWSKI: Is that you?

17 MS. MONICA ROSS-WILLIAMS: All right. Thank you.

18 MR. OSTROWSKI: Okay. And then I'll make a last
19 call for Gerard Charbonneau if he's up there.

20 MONICA ROSS-WILLIAMS

21 MS. MONICA ROSS-WILLIAMS: All right. Hi. My
22 name is Monica Ross-Williams. I'm a trustee in Ypsilanti
23 Township and I don't know about all the chemical standards,
24 so I'm just going to talk about the effect on our community
25 at this point. We have the -- we have Ford Lake. Ford Lake

1 is a very valued lake in our community. It is the center of
2 our township. Literally you can get from the south side to
3 the north side and Ford Lake runs in between. Ford Lake has
4 a lot of great memories for many residents including myself
5 where I used to go and fish at what's now North Hydro Park
6 with my father who is now deceased. Right now people cannot
7 fish in Ford Lake and it means that fathers and -- and sons
8 and -- and mothers and daughters and families cannot take
9 advantage of that. We're also now worried about in the
10 long-term impacts of what we don't know. Ford Lake is also
11 used in order for people to do water sports. Some people
12 will say water sports are just for those who, you know,
13 maybe have the resources to have water sports. I think
14 water sports is for those who have water sports. And that
15 does not necessarily mean that just jet skis and basically
16 boats. That may be someone basically in a tube that's
17 basically on the side of the Ford Lake and that doesn't cost
18 much. Right?

19 We -- we also are -- are looking at basically now
20 even though the -- we take great care of our water system
21 with YCUA and it's not there right now. I just want to make
22 sure I'm making that point. We are dealing with whatever
23 may be -- and I know this is not the point of this
24 discussion -- the impacts of that green ooze that's on 696
25 because that is related to GLWA. GLWA is a part of our

1 water system, calling out the --

2 We're a community. We've been -- we felt the
3 blunt of the economic crisis in Washtenaw County. We lost
4 63 percent of our home value on a average. We are still
5 coming back. Now we are having to try and ease residents'
6 minds and we don't really have all the data and information
7 in regards to what now is PFAS. We're tired. We need to
8 have basically something that says this is what the standard
9 is, whatever the low standard is --

10 MR. OSTROWSKI: (indicating)

11 MS. MONICA ROSS-WILLIAMS: -- thank you -- and
12 this is the impacts of it on our residents because we're --
13 we're -- we're -- it seems as if every time we try and take
14 two steps forward, here's three steps back. Ford Lake is a
15 treasure for us and not too far down the street is
16 Belleville Lake. And I know they're not here tonight, but
17 that one means just as much and that is also on the Huron
18 River and that's also a community that treasures their lake.
19 We have to do something about this and we have to make sure
20 it's right as -- as much as we can. Thank you so much.

21 MR. OSTROWSKI: Okay. Thank you. All right.
22 That's all my cards. I want to make another call for Gerard
23 Charbonneau because I called him earlier and he wasn't here.
24 I just want to make sure he wasn't outside. Gerard? Okay.
25 All right. Folks, well, it is past 8:00 o'clock. I'm going

1 to read my closing statement which gives you some
2 information on what's happening next, and then we'll close
3 out.

4 So thank you again for your comments and
5 cooperation tonight. We appreciate your interest in the
6 proposed rules and that you took the time to be here -- be
7 here today.

8 As previously mentioned, the public comment period
9 ends Friday, January 31st, 2020. In order to be included
10 for consideration, comments must be received by 5:00 o'clock
11 p.m. on January 31st. Please submit comments in writing to:
12 EGLE-PFAS-Rulemaking@michigan.gov. Again, more details on
13 where to send your comments and to learn more details about
14 the rulemaking process is on your agenda.

15 The next steps for the rulemaking process after
16 the public hearing and preparing -- is preparing the Agency
17 Report and the final draft rules that will first go to the
18 Environmental Rules Review Committee. The Agency Report
19 will include the following: Identification of the comments
20 that are the basis for any rule changes, EGLE's rationale
21 for making the rules changes, transcripts from all three
22 hearings, and a copy of all written comments that resulted
23 in rule changes.

24 The Environmental Rules Review Committee holds
25 meetings open to the public on the last Thursday of the

1 month. We expect they will be able to vote on the draft
2 rules at their February 27th or March 26th meeting.

3 From the Committee, the Agency -- from the
4 Committee, the Agency Report and final rules then go through
5 another round of review and approvals by the Legislative
6 Services Bureau and the Michigan Office of Administrative
7 Hearings and Rules before they are forwarded to the Joint
8 Committee on Administrative Rulemaking or JCAR. JCAR has 15
9 full session days in which to consider the rule package. We
10 are hoping for the rules to be promulgated in April or May.
11 The hearing is now closed. Thank you again.

12 (Proceedings concluded at 8:14 p.m.)

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MICHIGAN DEPT. OF ENVIRONMENT,
GREAT LAKES, AND ENERGY, PUBLIC
HEARING

January 16, 2020

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STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES and ENERGY

PUBLIC HEARING
FOR THE ADMINISTRATIVE RULES SUPPLYING WATER TO THE PUBLIC

104 Conservation Drive, Roscommon, Michigan

Thursday, January 16, 2020, 5:30 p.m.

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1 Roscommon, Michigan
2 Thursday, January 16, 2020 - 6:03 p.m.
3 MR. OSTROWSKI: Good evening. The Michigan
4 Department of Environment, Great Lakes and Energy in
5 partnership with the Michigan Department of Health and Human
6 Services would like to welcome you to the public hearing on
7 the proposed administrative rule revisions to: Rule Set
8 #2019-35 EG - Supplying Water to the Public.

9 My name is Jim Ostrowski, and I am the hearings
10 officer for this public hearing. I'd like to take this
11 opportunity to also introduce Eric Oswald, Director of
12 Drinking Water and Environmental Health Division, you've
13 already heard from Eric, and Dave Fiedler, EGLE's regulatory
14 affairs officer. There are also several staff from EGLE and
15 the Michigan Department of Health and Human Services
16 available to answer your questions in the resource area
17 right outside of the room there. I'm sure you saw them.
18 They will be at the tables for the entire length of
19 tonight's hearing and they're going to stick around
20 afterwards, after we adjourn, too, if you have any
21 questions.

22 So hearing agenda for tonight -- hopefully you
23 grabbed one of those agendas. If you did not, I'll go
24 through it. It's pretty, pretty easy. First, we will begin
25 with some background information about why we're here, then

1 we'll describe the purpose of the hearing and how your
2 comments will be considered. Following that, we will
3 outline the procedures under which we will take your
4 comments and describe what will happen after tonight's
5 hearing. Then it will be time to hear your comments, and we
6 will spend the majority of tonight's time listening to and
7 recording those comments.

8 Dave Fiedler will provide some information now, so
9 come on up, Dave.

10 MR. FIEDLER: All right. Thanks, Jim. Good
11 evening. The Drinking Water and Environmental Health
12 Division of EGLE is responsible for ensuring Michigan's
13 Public Water Supplies deliver water that meets the state's
14 drinking water requirements that are set out in the Michigan
15 Safe Drinking Water Act, or Public Act 399 of 1976, and its
16 associated administrative rules. Today we are here for a
17 public hearing on the proposed revisions to the
18 administrative rules titled Supplying Water to the Public,
19 Parts 1 through 28. These revisions pertain to drinking
20 water standards, water supply sampling, public notification
21 and laboratory provisions.

22 The proposed amendments to the administrative
23 rules we are discussing today, are state-specific revisions
24 that go beyond the federal regulations. While the U.S.
25 Environmental Protection Agency has established an

1 unenforceable lifetime health advisory level for total PFOS
2 and PFOA, many academia, health officials, and the Agency
3 for Toxic Substances and Disease Registry deem this advisory
4 level is too high or nonprotective enough. In addition, the
5 lack of enforceable standards for PFOS and PFOA and other
6 commonly found PFAS chemicals impairs EGLE's ability to take
7 enforceable actions to protect human health and the
8 environment.

9 EGLE's proposed rule revisions establish
10 enforceable drinking water standards and monitoring
11 requirements for several PFAS substances. Notable PFAS rule
12 revisions include the following: The establishment of a
13 maximum contaminant level for seven PFAS; the establishment
14 of sampling requirements for community and nontransient
15 noncommunity water supplies; publication or public
16 notification requirements for water supplies that either
17 exceed a maximum contaminant level or did not perform
18 monitoring as required; and finally, criteria for certifying
19 drinking water laboratories for PFAS analysis.

20 When drafting the proposed revisions, EGLE
21 considered data and recommendations made by the Michigan
22 PFAS Response Team or MPART, MPART's Science Advisory work
23 group, and numerous stakeholders including, but not limited
24 to, environmental organizations, water industry
25 representatives, public health professionals, and citizens

1 groups.

2 Now, today's hearing gives you an opportunity to
3 provide -- to provide information to EGLE to consider when
4 finalizing the revisions of these administrative rules. If
5 you would like to see the current proposed rule revisions,
6 they are available to the public on the Michigan Office of
7 Administrative Hearings and Rules' web site and the EGLE's
8 drinking water rule promulgation web site, and those links,
9 or those e-mail -- those addresses to those locations are on
10 the agenda. It's one of the handouts that you should have
11 received when you came in. So, again, I want to thank you
12 again for participating in this public hearing. Jim?

13 MR. OSTROWSKI: All right. Thanks, Dave. Still
14 got a few more things to go through. So I'm going to
15 explain the rulemaking process and how your comments will be
16 used. In order for the rules to be adopted, the Department
17 must follow the procedures set forth in the Administrative
18 Procedures Act, Act 306 of 1969. The purpose of today's
19 hearing is to give anyone interested in the proposed rules
20 an opportunity to provide information the Department can use
21 in making possible changes to the draft rules. We are here
22 tonight to receive public input on these proposed changes,
23 changes intended to better protect public health by
24 establishing: PFAS drinking water standards, PFAS sampling
25 requirements, PFAS public notification requirements, PFAS

1 laboratory certification criteria.

2 The Notice of this hearing was published in three
3 newspapers of general circulation: The Ann Arbor News, The
4 Grand Rapids Press, and The Marquette Mining Journal on
5 December 12th, 2019. It was also published on January 1st,
6 2020 in the Michigan Register, and posted on the EGLE
7 calendar beginning on December 16th, 2019. Copies of the
8 Notice of Public Hearing, Regulatory Impact Statement, and
9 proposed rules have been made available on the EGLE and
10 Michigan Office of Administrative Hearings and Rules web
11 site and upon request.

12 So as you came in, you were given the opportunity
13 to fill out an attendance card which I've already shown you.
14 We can request that -- we request that everybody fill out a
15 card and indicate if you wish to make a comment. We will
16 use these cards to call upon those who want to make a
17 statement today. And to ensure that the hearing is
18 conducted in a fair manner, we're going to follow these
19 steps. So I'll go -- I will call on those who have
20 indicated on the cards that they would like to ma- -- to
21 speak in the general order in which the cards were turned
22 in. When this has been completed, and if time permits, I
23 will ask if anyone else would like to make a statement. All
24 right.

25 When your name is called, please come to the

1 microphone right there (indicating), speak directly into the
2 microphone, and make your statement. If you have written
3 comments or materials that you would like to present, please
4 hand them to me as you come up there. Before you begin your
5 comments, please state your name and spell it, and identify
6 any group or association you may represent. So we have
7 limited time today and want to be fair and allow everyone an
8 opportunity to speak. Therefore, each person indicating
9 they want to speak will be given four minutes to make their
10 comments. I will indicate when you have one minute left and
11 I'll try to be subtle. I'll give you the little one-minute
12 sign and I'll just tell you, you have one minute left. I
13 won't make a big deal out of it. At that time, please begin
14 wrapping up your comments and end within the allotted time.
15 If need be, I will indicate when your time has ended.

16 So please be respectful to others and do not
17 interrupt a speaker. Please understand the purpose of the
18 hearing today is to provide an opportunity to receive and
19 listen to your comments only; the hearing process does not
20 allow for open discussion or questions about the proposed
21 rules. EGLE staff will not be responding to comments or
22 questions during the hearing. However, staff are available
23 in the lobby to answer your questions now and after we
24 adjourn. All right. Almost done.

25 So next part is about how we're going to use the

1 comments. So the hearing is being recorded and your
2 comments will become part of the information the Department
3 will consider when finalizing the proposed rules. You will
4 have until Friday, January 31st, to submit your comments.
5 And your agenda that you have contains the instructions on
6 where to send the written comments if you did not bring them
7 with you tonight. So if you see on there, there is an e-
8 mail mailbox as well as an address you can send those
9 comments to.

10 Following the close of the public comment period
11 on January 31st, we will review all written and verbal
12 comments and prepare an Agency Report which summarizes who
13 is in favor of the draft rules and who is opposed to them.
14 It will also contain an explanation of what additional
15 changes EGLE will be making to the draft rules. This Agency
16 Report and the final proposed rules will then be sent to the
17 Environmental Rules Review Committee which provides
18 stakeholder oversight of the Department's rulemaking. This
19 12-maker -- 12-member committee will vote to approve,
20 approve with changes, or reject the rules. If the Committee
21 approves the rules, they move forward to the Joint Committee
22 on Administrative Rulemaking or JCAR. JCAR is a bipartisan
23 legislative committee made up of five house and five senate
24 members and they provide legislative oversight of the
25 rulemaking process. They can hold hearings on the rules and

1 also can object or ask the agency to make changes to the
2 rules.

3 Okay. So if the Environmental Rules Committee
4 approves with modification or rejects them, they must submit
5 a notice of objection to EGLE explaining their decision, and
6 if EGLE cannot resolve the issues, then EGLE submits a
7 written finding to the Governor. And if the Governor agrees
8 with EGLE, then the rules proceed onward to JCAR. If the
9 Governor does not agree with EGLE, the rules are withdrawn.

10 If the rules are not opposed by JCAR, then they
11 will be filed with the Secretary of State and will take
12 effect seven days after being filed. You can follow all the
13 rulemaking process, step-by-step by going to the Michigan
14 Office of Administrative Hearings and Rules' web site.

15 All right. Thank you for your attention and I
16 will now begin calling the names of those who have indicated
17 they would like to make a statement. All right. So that's
18 the formal written statement I have for you. Just want to
19 remind everybody that, again, fill out this card if you want
20 to make a comment. You have until January 31st if you
21 decide after you go home you want to make a comment. You
22 can always submit a written comment to us online by January
23 31st.

24 And so, again, when you come up, please state your
25 name and spell it for us. And I just want to remind

1 everybody that this process doesn't really allow for back
2 and forth conversations, so we're here to listen to you and
3 so it's your time to speak and we'll just listen. I'm
4 giving you five minutes. And I will be looking at my phone.
5 It's not because I'm rude, but it's because I'm using it for
6 my timer. Okay. So I just got to keep track of everybody,
7 check, keep track of your time. So let's get started.

8 So the first person that wants to make a comment
9 is -- and, okay. This is also what I'm going to do. I'm
10 going to call the on-deck person, too. So I'll say who's
11 coming up and who's on-deck. All right? So first person
12 coming up is Mark Janeczko, Janeczko (pronouncing).

13 MR. MARK JANECKO: Yeah.

14 MR. OSTROWSKI: All right. Come on up. And then
15 after Mark is going to be David Winn, Sr. So, Mark, come on
16 up. Watch your step. Again, you have about four minutes
17 each.

18 MARK JANECKO

19 MR. MARK JANECKO: Okay. My name is Mark
20 Janeczko. That's J-a-n-e-c-z-k-o. I'm from Harrison,
21 Michigan. I used to work in a non-community program and I
22 just have a couple questions. One, is there polluter --
23 polluter pay legislation introduced? When I was with the
24 non-community program we would have businesses sample for
25 contaminants in their water that they had -- that they would

1 not be guilty of contaminating. So if we have a business
2 that's contaminating the water and then we require that
3 other people pay for their sampling, I'm concerned about
4 that. And the other question I would ask is would it help
5 to have a national standard since our -- since Michigan is
6 connected to other states through the Great Lakes? And
7 would it help to have the EPA set a standard that be as
8 strict as, say, Michigan's? And that's the only questions I
9 have and only comments I have. Thank you.

10 MR. OSTROWSKI: Okay. Thank you. All right. So
11 next up is David Winn, and then after David -- oh, bring it
12 on up -- and then after David will be Jesse Osmer. Thank
13 you.

14 DAVID WINN, SR.

15 MR. DAVID WINN, SR.: My name is David Winn,
16 W-i-n-n. I'm here on behalf of Need our Water in Oscoda.
17 And I want to thank EGLE for the opportunity to speak here
18 today. We in Oscoda and surrounding areas have been dealing
19 with what I believe is a very difficult situation with
20 respect to the PFAS contamination in our area that was
21 created dec- -- decades ago by the Department of Defense and
22 the Air Force. In our case, the Air Force has made in my
23 opinion too many broken commitments and promises to
24 remediate the PFAS contamination on or around Wurtsmith Air
25 Force Base with far too little progress and to date hiding

1 behind their so-called CERCLA process. They have diverted
2 resources and funding originally assigned for Wurtsmith Base
3 for remediating PFAS at and around the base and other areas
4 within the Department of Defense as the government in which
5 we as taxpayers have trusted have let us down again and feel
6 that a closed Air Force Base is not a top priority for their
7 list of remediations. Just so you know, the contamination
8 created by the Air Force in our area has resulted in
9 increased health concerns throughout the community, lower
10 property values, decreased tourism and vacation rental
11 activity, as well as fish and wildlife contamination. All
12 of these have greatly affected Oscoda and the surrounding
13 area revenue stream that does not have -- seem to matter to
14 the Department of Defense and the Air Force.

15 I truly believe and it is extremely important that
16 the new MCL guidelines being discussed here today be
17 approved and passed into Michigan law swiftly in order to
18 hold the Department of Defense and private sector industries
19 accountable to remediate the PFAS contamination at Wurtsmith
20 Air Force Base and all across the state of Michigan, thus
21 not allowing the Air Force in our case to drag their feet
22 any longer on such an important issue that they've done --
23 since they've done in the past. I also suggest that EGLE
24 and the EERC Committee work with Governor Whitmer and the
25 Attorney General's Office to investigate what legal actions

1 need to be taken by the state of Michigan in order to
2 enforce the new MCL guidelines and learn -- and learn from
3 other states such as New Hampshire and New Jersey that have
4 adopted the reduced MCL guidelines into state law and have
5 been told by the Department of Defense that they do not
6 recognize these state mandated lower MCL guidelines and
7 therefore are not planning to adhere to the individual state
8 reduced MCLs at this point in time and will continue to use
9 the 70 parts per trillion guideline. It is time for
10 Michigan to stand up and be recognized as a state and will
11 not tolerate the federal government and private businesses
12 to continue to contaminate our state land and water
13 resources. Thank you.

14 MR. OSTROWSKI: Thank you, sir. All right. Next
15 up is Jesse Osmer, then after Jesse is John Hines.

16 JESSE OSMER

17 MR. JESSE OSMER: Good evening. My name is Jesse
18 Osmer. It's J-e-s-s-e O-s-m-e-r. I serve as the
19 legislative director for State Representative Sue Allor
20 whose district includes Oscoda Township which is known as
21 ground zero when it comes to PFAS contamination in Michigan.
22 Additionally, she serves as chairman of the appropriation
23 subcommittee on natural resources and the Department of
24 Environment, Great Lakes and Energy. Unfortunately, she was
25 not able to be here tonight due to a conflict in the

1 schedule, however, she did ask me to give comment on her
2 behalf concerning the proposed limits on the seven types of
3 PFAS in drinking water as well as the other rules being
4 offered up.

5 She did want me to express gratitude for the work
6 performed by the Michigan PFAS Action Response Team, known
7 as MPART, in addressing this very serious issue. Because of
8 the efforts of this first of its kind interdepar- --
9 interdepartmental body, sorry, Michigan has quickly been
10 recognized as a leader when it comes to identifying sites
11 and conducting testing. But she also wanted to convey
12 appreciation for the working relationships she's been able
13 to develop -- develop with Director Clark and the Department
14 when it comes to creating budgets that allow them to
15 effectively continue addressing this issue in Michigan.

16 Regarding the proposed rules which is the focus of
17 tonight's meeting, the Representative believes that it is a
18 very important step toward setting necessary limits and over
19 the course of the past three years she's met with many
20 residents, attended meetings, and spoke with local units of
21 government in both Oscoda and Alpena Townships which both
22 have -- have PFAS identified in those areas, to discuss
23 their contamination and how it affects the lives of the
24 individuals who live in those areas on a daily. To see
25 communities suffering because they cannot drink their water,

1 they cannot swim in their lakes, they cannot eat the fish
2 or, or the deer that they hunt locally, they cannot even
3 sell their homes. It is absolutely devastating. But what's
4 even more horrifying is the health conditions that
5 Michiganders are facing as a result of this type of
6 contamination not just today, but individuals who have been
7 consuming it for years or individuals who 10, 15, 20 years
8 down the road from now will -- will find health issues as a
9 result of contamination.

10 The Representative welcomes these MCLs along with
11 the accompanying rules and looks forward to continuing to
12 work with the Department ahead, in the years ahead in
13 combating PFAS exposure to Michiganders and those visiting
14 our state. Thank you.

15 MR. OSTROWSKI: All right. Thank you. All right.
16 John Hines, come on up, and then after John, Dave Greco.

17 JOHN HINES

18 MR. JOHN HINES: John Hines, H-i-n-e-s. I'm the
19 superintendent at the Houghton Lake Wastewater Treatment
20 Plant. I'd like to thank you for your commitment to the
21 most important resource in our state, water. I'd also like
22 to see you fund further monies to put forth for better and
23 cheaper treatment of the PFAS. I would like to see that
24 done along with this bill. Thank you.

25 MR. OSTROWSKI: Okay. Thank you. Okay. Dave

1 Greco, and after Dave, Sean Overheul.

2 DAVE GRECO

3 MR. DAVE GRECO: Good evening. I'M Dave Greco, G-
4 r-e-c-o, director of Regulatory and Environmental Affairs at
5 the Michigan Manufacturers Association. On behalf of MMA,
6 thank you for the opportunity to provide comments on the
7 proposed rules this evening. MMA represents nearly 1700
8 manufacturers that can be found in every corner of the
9 state. They are small and large and they employ more than
10 635,000 Michigan citizens. Manufacturing represents
11 Michigan's largest economic sector, drives our state's
12 economy, and contributes to our quality of life. The matter
13 before us this evening is of great interest to our
14 organization and our members. We agree the safety of public
15 drinking water supplies is paramount as is the public
16 confidence in drinking water safety. We believe the state
17 can protect the public health and its economic
18 competitiveness. These are not mutually exclusive goals.
19 We have been actively engaged in discussions with state
20 regulators, legislators, and local communities for nearly
21 two years and we welcome the opportunity to be part of the
22 solution to what has been identified as a challenging and
23 complex problem.

24 To meaningfully contribute to the rulemaking
25 process, MMA commissioned an independent peer-review report

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1 by leading PFAS researchers on the proposed rules that we
2 will submit later this month. We trust this report will aid
3 in the rulemaking process by providing scientific and
4 technical information.

5 In broad summary of the report findings, I want to
6 emphasize three main points. First, we agree with the
7 notion that the state rely on settled and established
8 science as the foundation for developing regulatory
9 standards. Second, MMA is concerned that the cost benefit
10 balance is not yet sufficiently assessed and that more focus
11 in this area will ensure that Michigan does not
12 inadvertently establish standards that can result in
13 significant costs on local communities, citizens, and
14 employers. Third, the proposed rules need to be regulation
15 ready. That means implementing rules that provide clarity,
16 consistency, and certainty. We have seen other states take
17 a course that does not meet this goal and they are now
18 buried in legal challenges stalling real progress.

19 As we move forward, we encourage EGLE to do three
20 things. First, let's get this right. Address and resolve
21 key scientific uncertainties in shortcomings that have been
22 identified as part of the public hearing process. We hope
23 the state will find our report to be useful in closing some
24 of those information gaps and questions that remain.
25 Second, root the rules in settled science. We all recognize

1 the science on PFAS is evolving and we should regulate now
2 what is based on settled science and revisit the rules as
3 the body of settled science grows. Third, fully account for
4 the cost. Properly account for the cost to employers,
5 municipal water systems, and citizens by identifying the
6 costs for retrofitting, remediation, disposal, and ongoing
7 operating costs. If EGLE considers these three items,
8 Michigan will be the credible leader on establishing
9 PFAS-related safe drinking water standards.

10 Thank you again for the opportunity to speak this
11 evening and we look forward to being part of the solution.

12 MR. OSTROWSKI: Okay. Thank you. All right.
13 Next up, Sean Overheul and after Sean, Cyndi Roper.

14 SEAN OVERHEUL

15 MR. SEAN OVERHEUL: Hello. I'm Sean Overheul,
16 S-e-a-n, Overheul is O-v-e-r-h-e-u-l. I am with Pure Water
17 Works, Incorporated in Traverse City and we -- we take care
18 of about 6200 square miles worth of our Michigan residents.

19 The questions that we have that are to be focused
20 upon and hopefully looked at throughout the litigation
21 process and the development of the new standards is that
22 everything here seems to be focused again on municipal water
23 supplies. And according to the DEQ, Michigan has nearly
24 1.12 million households with about 15,000 new wells drilled
25 per year and there are only 1400 community public water

1 supplies in the state of Michigan as well,
2 there/thereabouts. The question that we have is that 90
3 percent of us up here are going to be on well water. We're
4 not on municipal water. And that's not necessarily just
5 because we want our own well, but because of the logistics
6 of getting water through a municipality is just not
7 feasible. And it seems like those people that are on well
8 water are being forgotten and it's only focused on
9 municipals because that's what is set as a standard and what
10 you can regulate. What is something that as homeowners, as
11 people that live in these communities, what can we do to
12 ensure that everybody else is going to have safe drinking
13 water?

14 The other aspect that I have is that with the --
15 with the increase of the PFAS, P-F-A-S, P-F-O-S, we're
16 looking at long-term effects. I mean, I don't understand
17 how an action level or maximum contaminant level can be set
18 without long-term studies being done. But with the fact
19 that PFAS are a -- are an emerging contaminant, there are no
20 long-term studies that have been completed to show the
21 health effects and the issues that are caused by these
22 chemicals. So how can a level be set without knowing how
23 that level will work over time or bioaccumulate in the body?
24 Thank you.

25 MR. OSTROWSKI: Okay. Thanks. So Cyndi Roper and

1 after Cyndi, Chuck Leady.

2 CYNDI ROPER

3 MS. CYNDI ROPER: Thank you. My name is Cyndi
4 Roper, C-y-n-d-i R-o-p-e-r, and I'm the Michigan senior
5 policy advocate for the Natural Resources Defense Council.
6 On behalf of our more than three million members and online
7 activists including 69,000 members in Michigan, the Natural
8 Resources Defense Council appreciates the opportunity to
9 comment on the Michigan Department of Environment, Great
10 Lakes and Energy -- I've been through too many names
11 changes -- proposed PFAS MCLs. We laud the Governor and the
12 agency for the work they've done and for the amount of hours
13 and time and commitment they've put in to trying to get
14 these rules moving quickly, and also MPART, I know we have
15 some people from MPART here.

16 However, as you already know, NRGCC has serious
17 concerns about the proposed standards and we raised these
18 concerns with MPART after its science advisory work group
19 released the health based values upon which Michigan's
20 proposed MCLs are based. We will be submitting detailed,
21 written comments, so we will go through all of these --
22 these points, but we believe there is inadequate
23 consideration of the best available current science to
24 ensure standards protect Michigan's most vulnerable
25 populations like developing fetuses, infants, children,

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1 pregnant women, and nursing moms. We believe the absence of
2 a class-based regulations that fully protect individuals
3 from all types of PFAS exposure and drinking water,
4 including exposures to mixtures of multiple types of PFAS,
5 is highly problematic. We also believe the omission of
6 total PFAS MCL requiring water systems that detect PFAS to
7 install water treatment that will remove a broad range of
8 PFAS substances instead of focusing only on a few PFAS at a
9 time is also highly problematic.

10 We have played a leadership role in advancing
11 solutions to the PFAS crisis through our efforts in the
12 nation's capitol and in states across the country. In
13 Michigan we released a PFAS in drinking water report last
14 March based on the science, based on the ATSDR report, based
15 on the footnotes in the Agency on Tox- -- for Toxic
16 Substances and Disease Registry Report and we called on EGLE
17 at that time to issue emergency rules with standards that
18 would best protect public health. Although emergency rules
19 were not issues that would have been -- would have taken
20 effect immediately, it was our hope that EGLE would produce
21 MCLs using a class-based approach. This has not happened
22 with the current proposal.

23 Given the extensive PFAS contamination in
24 Michigan, EGLE should not attempt to balance industries
25 acceptance of its proposed drinking water standards against

1 protecting public health. It's time for industry to accept
2 responsibility for chemical contamination resulting from
3 near successful lobbying efforts that allowed chemicals to
4 be released without proving they are safe, that block health
5 protective standards, and that protect them from liability
6 from their pollution and more.

7 And I -- I'd like to add a few comments from my
8 personal experience. As a young mechanical engineer working
9 at Ford Motor Company's River Rouge Plant, my father held
10 professional development sessions to educate his coworkers
11 on why they shouldn't dump paint into the Rouge River.
12 These attend -- these sessions were sparsely attended in
13 large part because we didn't have a Clean Water Act and
14 other major environmental laws. Fast forward to the final
15 20 years of my father's career before he passed away from
16 lymphoma when he was a plant engineer at a 3M plant that
17 makes adhesives, sealants, and coating -- coatings and I
18 worked at that plant for two summers during college.

19 So, despite my father's commitment to keeping
20 pollutants out of water, it was clear to me that
21 environmental permits were permission to pol- -- permission
22 slips to pollute. I realize you are trying to balance the
23 interest of corporate polluters, but we're breathing,
24 drinking, swimming, and eating PFAS right now, and even
25 before PFAS we had at least 7300 toxic sites in this state.

1 Many of you have seen the green ooze on -- in Madison
2 Heights. It is symbolic of these sites. And if all 7300
3 sites were oozing colors, the state of Michigan would look
4 like the Sherwin-Williams color the world logo.

5 And so, you know, we just aren't seeing what's
6 happening and we feel strongly that our health and our
7 pocketbooks are now bearing the brunt of the attempted
8 balancing act, but the scales are broken. So this is your
9 opportunity to ensure the water we drink won't harm us, and
10 especially our most vulnerable populations. We're counting
11 on you. Thank you again for your efforts.

12 MR. OSTROWSKI: Thank you. All right. Next,
13 Chuck Leady and then Rachel Cara.

14 CHUCK LEADY

15 MR. CHUCK LEADY: Good evening. My name is Chuck
16 Leady. That's spelled L-e-a-d-y. And I represent myself
17 here and anybody that happens to agree with me. I want to
18 first thank everybody that had anything to do with putting
19 this thing on because this in my opinion is what government
20 should be doing, being responsible to reporting back what's
21 going on to the people. So thank -- thanks everybody to
22 that.

23 I noticed in your presentation that you said that
24 you're putting -- you're watching and regulating municipal
25 power -- municipal water supplies, school water supplies

1 and -- and certain other things. But I think what I'm
2 really, although I don't believe that I have too much of a
3 personal impact on this as far as having my well water being
4 adversely affected by these chemicals, I think that all of
5 us need to be aware of this and look out for the rest of the
6 citizenry of -- of the state here as well as the country.
7 And so I'm kind of concerned here that although you said
8 there are testing available that an individual can do, you
9 can put in a reverse osmosis system or possibly, you know,
10 activated charcoal filtering, but these are expensive
11 systems and since there is this problem and I would suspect
12 that any contamination in any individual's well water is
13 probably not the fault of that individual homeowner. It is
14 more than likely, came from, even though it might be
15 inadvertent from either government, federal, state, industry
16 of, you know, whether it's a chemical company that's
17 producing the chemicals or a -- another industry that's a
18 user of the chemicals. It -- it also -- I mean, so, it's
19 not an act of God that put this stuff in there, at least I
20 don't think so.

21 So I would -- I really would like to see something
22 in -- in the effort that you're doing to help the individual
23 homeowner that may have a well and maybe having a problem to
24 at least have -- if they're in an area that is designated a
25 hotspot, so to speak, at least provide somehow, whether it's

1 through the state or through assessments of the potential
2 people who provided the bad chemicals in the first place,
3 that they would have financial relief to do this testing or
4 have this testing made available to them at no cost. And if
5 by chance, unfortunately, they have the need for an
6 expensive water treatment system or bottled water or
7 whatever solves the problem, that we would hold accountable
8 both financially and legally the -- the companies,
9 government, or whoever that ended up putting the stuff there
10 in the first place.

11 And lastly, I'd just like to also thank Sue
12 Allor -- who happens to be my Representative, I meet with
13 her on most of her coffee hours -- for being -- for
14 spearheading an effort to help, you know, resolve this
15 issue. Thank you very much.

16 MR. OSTROWSKI: Thanks. Okay. Rachel Cara and
17 then after Rachel is Aaron Weed.

18 RACHEL CARA

19 MS. RACHEL CARA: Hello. My name is Rachel Cara.
20 I am the Michigan outreach director for We Are the Evidence.
21 It's a wireless technology advocacy group for those who have
22 been injured by wireless which many of you may not know, but
23 there are a good five to ten percent of the population that
24 have effects from Wi-Fi, cell phone towers, and such and
25 it's becoming increasingly more and more.

1 Most of us, as myself, I have been damaged in that
2 sense. We have over the years had chemical sensitivity or
3 some sort of autoimmune disorder that led to our immune
4 system being weakened and therefore we react more. So I
5 have been extremely concerned myself as I know many of my
6 co-advocates and those that -- that we represent in, you
7 know, regard to PFAS and many chemicals in the environment,
8 but specifically PFAS potentially being in well water
9 concerns me as I do reside in northern Michigan now and have
10 a private home well. I went to great lengths to move back
11 across the country after living out west for many years in
12 larger cities and being here in a more rural area to be in a
13 healthier environment away from the primarily wireless
14 sources which you find in many cities. But at any rate
15 here, you know, there are other problems as I've, you know,
16 encountered with potential for the -- the water being
17 polluted and such.

18 However, I -- I do agree with many of the others
19 who have spoken before regarding the fact that it would be
20 nice to have some sort of testing available that could be
21 made available to assist, you know, those who can't afford
22 the expensive systems and who would like to know, really,
23 what's in their water. So I would encourage that to be
24 looked into. And then also, I understand that the EGLE
25 organization does look at all types of environmental toxins,

1 or at least many beyond water, and I would very much
2 encourage you to look into the wireless issue because that
3 is something that the majority of people are not aware of,
4 however there have been literally thousands of studies, the
5 majority of which have not been well publicized, however,
6 the most recent this past year, the NTP study, National
7 Toxicology Program, put \$30 million into this and determined
8 that there is a very large percentage connection there with
9 brain tumors and wireless. So I would definitely, you know,
10 appreciate any further looking into that and I thank you for
11 your presentation here.

12 MR. OSTROWSKI: Thank you. Okay. Aaron Weed and
13 then after that, Greg Cole.

14 AARON WEED

15 MR. AARON WEED: Aaron Weed, A-a-r-o-n W-e-e-d,
16 Oscoda Township supervisor. Oscoda Township was found to
17 have PFAS in it, publicly known as early as 1999. The
18 second most contaminated fish in the world came out of our
19 township because we are the home of Wurtsmith Air Force
20 Base, second-most PFAS contaminated fish at 9,000 parts per
21 billion. We have contaminated deer, we have contaminated
22 people, we have over 400 wells potentially contaminated by
23 PFAS. Our water from the Wurtsmith Air Force Base, that
24 groundwater flows into the Au Sable River with PFAS
25 contamination and into Lake Huron at a rate of 21 million

1 gallons per hour thereby feeding into millions of other
2 users of municipal water systems.

3 This rulemaking I think is very necessary. I
4 believe the limits you have set are not adequate and should
5 actually be lower, especially at PFHXS. I think the more
6 PFAS chemicals should be added to it. As you had mentioned,
7 a class. PFECHS should also be included in there.

8 So while I don't necessarily agree with the limits
9 that EGLE has set, it is far better than what we've had in
10 the past, especially since we've dealt with decades of this
11 problem. So I fully support these MCLs and I applaud EGLE
12 for coming up with this albeit probably a decade too late.

13 For over 60 years, testing has been done on PFAS
14 that shows -- health studies that show that it is a human
15 hazard. So my question to MMA, what's more important, your
16 pocketbooks or the people's health? Because if you don't
17 have healthy people, you don't have workers. You as
18 industry will find alternatives.

19 MR. OSTROWSKI: Mr. Weed? Yeah, address the
20 front, please.

21 MR. AARON WEED: So I think you needed to hear
22 that, but -- thank you very much.

23 MR. OSTROWSKI: All right. Thank you. All right.
24 Just got a couple more cards here. And, again, remember
25 when you're up here, make sure you're addressing the front

1 of the room. Oh, Dave's got a couple more. So first one
2 up, Greg Cole, you're up, and then Hank Bailey next. All
3 right. Thank you. Oh, thank you, sir. All right. Mr.
4 Cole?

5 GREG COLE

6 MR. GREG COLE: Greg Cole, C-o-l-e. I'm a member
7 of the NOW group in Oscoda, Need Our Water. I'd like to
8 first read my comment and then I have some added things to
9 that.

10 I hope you set the level at the lowest possible
11 number to protect the citizens of Michigan. As far as
12 putting all the PFAS contaminants into one MCL, I feel I
13 would leave that decision up to EGLE. If EGLE recommends to
14 do just a part of the contaminants, I would hope as the
15 science comes in, EGLE would address the remaining PFAS
16 chemicals. Immediate action by our state to assign
17 additional MCLs at a timely rate would get my support.
18 Beware, we will be holding you accountable for your actions.
19 That's my personal comment, not the NOW group.

20 And then I'd like to add we have here tonight the
21 Oscoda swim team, and they're doing a community service
22 event for them. About the swim team, a couple years ago the
23 swimming pool at Oscoda High School was fed by wells. And
24 to show you, or to tell you how dangerous these contaminants
25 are, there was a forest fire behind the high school years

1 ago and I'm sure some of the EGLE team knows about that.
2 And the Air Force come over and helped out to put that fire
3 out and they used AFFF foam years and years ago and, of
4 course, the PFAS got into the ground and this is why they're
5 called forever chemicals. The state went out -- back then
6 it was MPART -- and they detected PFAS. So the NOW group,
7 we were invited into the Board of Education at the high
8 school and we talked about the dangers of PFAS maybe in the
9 wells at the high school. So the next thing we did is we
10 went to our Representatives and Aaron Weed, our township
11 supervisor, and I believe it was Dan Kildee, and it wasn't
12 long we received city water for the high school. So we want
13 to thank the state for coming in and giving our kids clean
14 water for that swimming pool and now they have all clean
15 drinking water fountains in the high school. And the kids
16 are here tonight, some of them are going to speak.

17 And the other thing is I do think we can overcome
18 this. When I was a kid, I was raised down on Lake Erie
19 where the Huron River, the mouth -- the mouth of the Huron
20 River is, Point Mouillee, and now that Huron River is
21 contaminated. And we know on Lake Erie when I -- when I
22 lived there, we had signs on our beach at that time that
23 said "swim at your own risk." It was highly polluted. And
24 I thought there's never going to be a time where that's
25 going to get cleaned up, but it did and the walleye

1 population, the fishing population is enormous out there.
2 So I think we can overcome these PFAS contaminants because
3 when you think about it, how much more technology do we have
4 now compared to back then?

5 So my request to EGLE is to work hard. I really
6 applaud that you met with us tonight and take our comments
7 and our questions to heart and go to work. Thank you.

8 MR. OSTROWSKI: Okay. Thank you. Okay. So Greg
9 Cole, after Greg is Hank Bailey. Greg here?

10 MR. GREG COLE: I'm Greg Cole.

11 MR. OSTROWSKI: Oh, I'm sorry, Mr. Cole. I forgot
12 to give my card over. I'm trying to keep track of this
13 stuff. Okay. So Hank Bailey, come on up, and after Hank is
14 going to be Liz DeLisle.

15 MS. LIZ DELISLE: Yup.

16 MR. OSTROWSKI: All right. Go ahead.

17 HANK BAILEY

18 MR. HANK BAILEY: Buzhu. Thank you for allowing
19 me to speak tonight. My name is Hank Bailey, B-a-i-l-e-y.
20 I'm a tribal elder who has legal rights to the water of
21 Michigan that are located within our ceded territory that
22 was when we had to cede our land to the federal government
23 in the Treaty of Washington 1836. And because of that
24 treaty, I have seen a lot of things go downhill in this --
25 in our land that we ceded and -- and it worries me. The

1 Great Lakes have went -- now have more invasive species in
2 it than native species. And so with the water being the
3 strongest thing that we have and how important it is to our
4 tribal people, what makes me think about being here is the
5 idea that you have now taken on the name of EGLE in place of
6 the Michigan Department of Natural Resources had. You know,
7 I think that's just fine. But the "eagle" also rep- --
8 represents so much to us as a tribal nation. So I think by
9 the state of Michigan taking on that name of EGLE, I think
10 you have accepted a great responsibility. And so I hope
11 when each one of you people that are here to protect our
12 environment, our Great Lakes and get rid of that energy
13 thing. When you get up in the morning you can look in the
14 mirror and think that you're going to go out and do the best
15 you can to protect those environments that are so vital to
16 all of us and you have taken on a responsibility to lead
17 that name of EGLE amongst us, especially when you have
18 native people all over this state of Michigan.

19 So what I'm afraid of is what I've heard people
20 say already is, you know, we're going to end up running into
21 the problem of not having the proper funding to do the job.
22 And so I'm asking you when you look in the mirror, think
23 that you're going to have a big old job and when you go to
24 work that day to try to get those people that will help you
25 out and bring the monies in that you need to do your job and

1 your responsibility to that "eagle." So with that I say
2 meegwetch to you.

3 MR. OSTROWSKI: Thank you, sir. Okay. Liz
4 DeLisle and then John DeLisle. Is that right?

5 MS. LIZ DELISLE: Hi. Yup.

6 MR. OSTROWSKI: Okay.

7 LIZ DELISLE

8 MS. LIZ DELISLE: Liz DeLisle, L-i-z, last name
9 DeLisle, D-e-L-i-s-l-e. I am here representing myself. I
10 am representing all wildlife, any unborn baby, any elderly
11 or ill person that cannot attend. This is a serious issue.
12 I drove out from West Bloomfield. I am on well water and I
13 don't know if it's safe or not. Personally I'm going to get
14 my blood tested and the well tested. But this is a serious
15 issue because we live in Michigan and it is the best state.
16 I mean, obviously I live here, so.

17 But we have to take care of the world's biggest
18 and greatest freshwater lakes system and that's a
19 responsibility that we have to do. What you're proposing is
20 seven different PFAS chemicals. There's over 5,000. It has
21 been proven that companies have switched their chemical
22 formulas and then have gotten out of having to be regulated.
23 There's no federal regulations and this is killing people.
24 People are dying. This is a very serious thing. People are
25 sick, infertility rates are up and I'm of the age where a

1 lot of people are wanting to have families. They have
2 beautiful jobs, beautiful husbands, wives, and they can't
3 have kids and I have a feeling that environmental chemicals
4 and toxins are partly to do with it.

5 So I would definitely like to ask that what you're
6 proposing in terms of the limits, they need to come down. A
7 lot of the people in the country right now are looking to
8 see what Michigan is going to do and we need to strict -- we
9 need to lower the levels. I mean, who wants any kind of a
10 toxic chemical in their water? I would like to drink pure,
11 clean water so if there's going to be some sort of a
12 standard, it better be pretty small and so I'd like at least
13 those numbers to come down half, if not more.

14 I also think that a big issue is that the
15 companies that are polluting need to be held accountable.
16 They are literally putting these toxic chemicals that are
17 affecting the wildlife. What is the plan for that? If we
18 go through municipality, you know, treatment filtration
19 systems, that's not getting everything. Yes, I live in West
20 Bloomfield, but I have family cottages up north. We
21 recreate -- recreate all around the state of Michigan. And
22 so I want to be able to know that where I'm going the water
23 is clean.

24 I also want to know that, like I said, not just
25 those seven chemicals, but the whole class of five plus --

1 5,000 plus chemicals are being regulated. I would also like
2 to know that the companies are being held accountable. What
3 are the regulations on those companies? Why aren't they
4 paying? Why is it that us hardworking people and our tax
5 dollars are having to pay for things that companies that
6 have millions of dollars are doing. They're ruining our
7 environment. We have our world, our earth to take care of.
8 PFAS is in the water, it's in the air. Water flows, air
9 blows. It's everywhere. It's in the food systems, the
10 soil. I mean, this is a serious, serious problem and I am
11 depending on the state of Michigan to take care of this for
12 future generations to come. For not only our state, but for
13 the country that's watching to see what we're going to do
14 and for the whole world that's watching to see what we're
15 going to do.

16 MR. OSTROWSKI: One -- one minute.

17 MS. LIZ DELISLE: Yeah; yup. So we are currently
18 being used as guinea pigs because there isn't enough
19 evidence of how this accumulates. It bioaccumulates in the
20 system. It's a forever chemical. And there's not super
21 long-term evidence that's been studied. If -- and I hope
22 every single one of you has seen the documentary -- and
23 they're making another one called No Defense -- but the one
24 that says, "The Devil We Know" because there is plenty of
25 information on people who live in West Virginia where DuPont

1 and 3M have polluted the water. It's killed cow -- I mean,
2 so many animals. We need to take care of this.

3 So with that, let me make sure I didn't miss
4 anything here. I want to make sure that the levels are
5 coming down at least half, the companies are -- the
6 companies that are doing this are being held accountable and
7 that they're being regulated, and I want to make sure that
8 we know what's going to happen with the waste if a charcoal
9 filter is put into a municipal system. That's collecting
10 PFAS. How is that going to be responsibly discarded? And
11 then also, classifying everything, not just the seven that
12 you've listed. Thank you.

13 MR. OSTROWSKI: Okay. Thank you. All right.
14 John DeLisle and then Jason Trautz, I think. Go ahead.

15 JOHN DELISLE

16 MR. JOHN DELISLE: Hi, everybody. I -- I have
17 three basic points. My wife and I own a business, so as --
18 as business owners we -- we want to be regulated. We feel
19 that, you know, these compounds are very dangerous and that
20 there's no reason that they need to be used. There's
21 alternatives to everything. Human ingenuity can come up
22 with something better to perform those functions. And, you
23 know, from a -- from a personal standpoint, I second what my
24 wife said. I -- whatever regulations are put in place, I
25 hope they're, you know, stringent and, you know, I thank you

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1 guys for your efforts in addressing this.

2 MR. OSTROWSKI: Okay. Thank you. All right. So
3 Jason Trautz (pronouncing) -- I can't read it.

4 MR. JASON TRAUTZ: Yeah, German. Trautz
5 (pronouncing).

6 MR. OSTROWSKI: Okay. Close.

7 JASON TRAUTZ

8 MR. JASON TRAUTZ: Jason Trautz, last name
9 T-r-a-u-t-z. I reside about two blocks through the woods
10 right over here (indicating). So thanks for holding the
11 meeting. Number two, I really appreciate everything that
12 everybody's doing to bring this to our attention and to
13 manage it in the future. It seems very, very critical. I
14 do have a comment, two comments, that I'd like you to take
15 very seriously.

16 Many of us in Michigan and throughout the United
17 States drink bottled water. It's my understanding that
18 you're exempting the bottling plants from testing and
19 compliance if I heard correctly earlier today. That
20 concerns me because a lot of people in Michigan and other
21 communities drink bottled water. It seems if it's good for
22 the municipalities, it's also good for the bottling plants.
23 I would encourage you to do that, regulate to those same
24 standards. We draw millions of gallons of water out of our
25 state, sell it to the citizens of our state, or export it to

1 the nearby states and I think that could be a selling point,
2 "Michigan Pure Water." I have nothing to do with the
3 bottling plants, by the way. There's no skin in this game.
4 But it just makes good sense. If I'm going to in some of
5 these communities that have a lot of pollution, consistently
6 drink bottled water, they should be getting the same, good,
7 quality, regulated water that you're proposing and I would
8 encourage you to do that. Don't leave that loophole open
9 because it's critical to all those people and it can be a
10 selling point for our bottling companies. Thank you.

11 MR. OSTROWSKI: All right. Thank you. Okay. So
12 next one is Alexis Ruemenapp and then Aiden Backstrom.
13 Alexis? Sorry if I got your name wrong.

14 ALEXIS RUEMENAPP

15 MS. ALEXIS RUEMENAPP: My name is Alexis
16 Ruemenapp, spelled A-l-e-x-i-s R-u-e-m-e-n-a-p-p. I live
17 in Oscoda, Michigan affected by the PFAS contamination of
18 the former Wurtsmith Air Force Base. I want you to know
19 that we know. The PFAS standards must be protective of our
20 most vulnerable populations and be based on the best
21 available science. Children, pregnant women, and those
22 suffering from chronic illness and the elderly are the most
23 susceptible to the negative health impacts of our exposure
24 to PFAS. Standards should be considered PFAS impacts to
25 children, elderly, and other vulnerable populations instead

1 of just adults. Michigan's PFAS standards should take into
2 account the best of all the research and studies like those
3 done in New Hampshire to ensure the limits are protective of
4 public health. Thank you for the opportunity to share my
5 comment.

6 MR. OSTROWSKI: Okay. Thank you. All right.
7 Aiden Backstrom, then after Aiden is Lilli- -- Lillian
8 Schnell -- Schell.

9 AIDEN BACKSTROM

10 MR. AIDEN BACKSTROM: Hi. My name is Aiden
11 Backstrom spelled A-i-d-e-n B-a-c-k-s-t-r-o-m. I'm from
12 Oscoda -- sorry. I'm from Oscoda. I go to Oscoda Area High
13 Schools and I want to share my experience with -- well, my
14 school's experience with the PFAS.

15 Over the summer we had to close down a lot of
16 sporting events because the wa- -- because the water was
17 contaminated. A couple football games were canceled and
18 practices at the high school for soccer were also canceled
19 because we didn't have clean water to drink out of. I've
20 also seen -- we've also been noticing a lot more foam on our
21 beaches. I'm not -- I'm not entirely a hundred percent sure
22 that it was PFAS, but I've heard a couple rumors going
23 around that it was PFAS developing on our beaches, even
24 though in a 2018 study or sample, one sample in Lake Huron
25 saying that there was no PFAS.

1 standard for PFAS contaminants will set the baseline for
2 ensuring Michiganders have safe, clean water to drink.
3 Thank you for the opportunity to share my comments.

4 MR. OSTROWSKI: All right. Thank you. All right.
5 Cathy Wusterbarth, hopefully I got your name right.

6 CATHY WUSTERBARTH

7 MS. CATHY WUSTERBARTH: Hi. Cathy Wusterbarth
8 which is W-u-s-t-e-r-b-a-r-t-h. And, yes, thank you so much
9 for allowing me to make some comments. I have brought some
10 things that I want to share with you. I'm from the NOW,
11 Need Our Water community action group and I'd like to share
12 with you our mission because we -- you along -- EGLE along
13 with community members in the state of Michigan have been
14 working together to make sure that these PFAS are being
15 addressed adequately.

16 Our mission is we are a community action group
17 organized to give Oscoda and Au Sable and surrounding
18 communities a voice. Our mission is to be a reliable
19 resource and catalyst for education and communication while
20 advocating for long-term health and environmental welfare
21 plans on behalf of those affected by the water contamination
22 from the former Wurtsmith Air Force Base.

23 So, again, I am from Oscoda. I -- I brought you
24 a -- a DEQ -- at the time it was DEQ -- designed map that
25 shows the plumes that are coming from the former Wurtsmith

1 Air Force Base. These images we've had to share with
2 entities for the last now four years. We've -- we've had
3 these nice pictures to be able to share. But it -- it's
4 really graphic. You can see where the plumes are flowing
5 towards the -- this lake here (indicating), Van Etten Lake,
6 and then there's a river, the Au Sable River. And the --
7 like Mr. Weed had indicated, those -- those PFAS are being
8 pumped from the ground and put into a nearby creek that's
9 flowing into the Au Sable River and this image here
10 (indicating) is Lake Huron. And so Lake Huron is the
11 drinking water source for hundreds of thousands of -- of
12 people in Michigan. So that is the -- again, the source of
13 our municipal water supply.

14 This image here that I'm going to share with you,
15 this is the shores of Lake Huron and Oscoda and Au Sable in
16 September of 2018 and clearly this is PFAS foam. As the
17 young man mentioned, one of the samples that was taking
18 from -- taken for our -- our municipal water supply in 2018
19 was shown non-detect for PFAS. One sample was taken. And
20 as everyone in EGLE knows, that PFAS acts in mysterious ways
21 and it's very hard to get a surface water sample. So, you
22 know, we really would encourage that this sampling occur
23 more often. This foam is happening on -- on Lake Huron and
24 other waterways in -- in our area. And these -- this one
25 very graphic picture here was taken by Aaron Weed himself,

1 so he has lots of experience in identifying that foam and he
2 said it was very characteristic of -- of the PFAS foam,
3 although we didn't get a sample of that.

4 Again, this is another graphic that I'd like to
5 submit for comments. And one of the statements that we're
6 sharing with the rest of our contamination partners
7 throughout this -- the U.S. is that PFAS was first reported
8 in 2012 by Robert Delaney and Dr. Richard DeGrandchamp in
9 their report "Michigan's Contaminant Induced Human Health
10 Crisis Addressing Michigan's Future by Facing The Challenges
11 of the Evolving Nature of Environmental Contamination."
12 That study was submitted to EGLE, or DEQ at the time, in
13 2012 and now just recently came out. So if -- if -- you'll
14 have to forgive us if we don't trust that this process is
15 going to occur very quickly. But I -- if -- if -- like Greg
16 Cole was saying, we are going to hold EGLE and the state of
17 Michigan accountable for enforcing these standards.

18 The last thing I'd like to submit is these are
19 hundreds of private water, or some of them are private well
20 samples. There's -- there's two PFAS that are -- like Aaron
21 had mentioned, are a big concern that PFHXS. On the second
22 page the proposed level is 51. These are private wells.
23 The numbers I see here are 88, 90, 100, 75, 120, 150, 150.
24 That's on one page of this report and this is -- these are
25 private water wells that people are going to be asking you

1 the question, "Why am I not protected in my private well?
2 Why can't I get a subsidy for a system so that I can be
3 protected just like my city water?"

4 And the last question that I have or comment is
5 that I want to make sure that this -- you know, you're
6 looking at the class of PFAS. We know that PFECHS, one of
7 the other PFAS, is being detected in our Great Lakes at
8 higher level -- higher levels than PFOA and PFOS and the
9 state of Michigan needs to make sure that they -- they are
10 addressing these other chemicals that aren't even on, you
11 know, the radar right now. But we're paying attention to
12 these studies and we want answers. Thank you.

13 MR. OSTROWSKI: All right. Thank you. I can take
14 those if you want. If you'd like to leave those up here,
15 ma'am, you can do that or --

16 MS. CATHY WUSTERBARTH: Oh, yeah.

17 MR. OSTROWSKI: -- or submit them through e-mail,
18 either way. Okay, everybody. That is all the cards I have.
19 Is there any more cards? I'll ask our staff that are here.
20 Chris, can you check? If not, other people want to make
21 comment, now is the time. So if you'd like to make a
22 comment, come on up, ma'am, and make sure that you clearly
23 state your name and spell it and, again, we'll go four
24 minutes. Okay?

25 ELYSSA STEWARD

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1 MS. ELYSSA STEWARD: Hello. My name is Elyssa
2 Steward, E-l-y-s-s-a S-t-e-w-a-r-d. I am with NOW and I
3 also want to say that I am the varsity swim coach and
4 aquatics director of Oscoda High School. As someone who is
5 in charge of youth swim programs, it is a major concern of
6 mine that PFAS contaminations be addressed immediately. Not
7 only is PFAS finding its way into our drinking water, it's
8 also found in Van Etten Lake, Au Sable River, and even the
9 Great Lakes. I am concerned for the youth in Oscoda because
10 they swim in these contaminated waters all summer long. We
11 are aware of what's going on and we are calling for action.
12 Pure Michigan. Pure Water. Thank you.

13 MR. OSTROWSKI: Okay. Thank you. Anybody else
14 want to make a comment? Come on up, sir. Again, state your
15 name and spell it for us, please, and if you have any
16 association you're with, please say that, too.

17 JOHN MORRIS

18 MR. JOHN MORRIS: My name is John Morris. I live
19 in National City. J-o-h-n M-o-r-r-i-s. After hearing all
20 this, I couldn't help but think if -- if I put some poison
21 in somebody's coffee when they weren't looking and they
22 died, you'd call me a criminal. You'd call me a monster.
23 And yet we allow these companies, we allow our government to
24 poison us and we call it corporate citizens.

25 MR. OSTROWSKI: Okay. Thank you. Okay. Any

1 other comments? All right, folks. We are actually
2 technically supposed to be here 'til 8:00 o'clock to take
3 comments and we will stay here. So we're going to stick
4 around. But because I'm sure you all don't want to just sit
5 around here in silence, what I'm going to do is temporarily
6 adjourn our hearing. I'm going to read off some closing
7 statements so you don't have to wait around for those
8 either. So I'm going to read off the information about
9 what's going to happen next so you can stay in touch.

10 One thing I want to remark on is that if you
11 didn't sign up on our sign-in sheet out there, please do
12 because that's going to help us keep in touch with you and
13 keep engaged with you. So as we have things to share with
14 you after the hearings, we'll e-mail you information. It
15 just helps us keep in touch with you. So please sign in.
16 You don't have to, but if you want, leave your e-mail there
17 and that'll help us keep in touch with you.

18 So, with that, I've got a couple of things I need
19 to go over if I can get my projector working again, it'll
20 help. Let's see if it comes on. Maybe not. Well, I'll
21 just read these off.

22 So anyways, thank you again for your comments and
23 your cooperation and, of course, your respect tonight. We
24 appreciate your interest in the proposed rules and that you
25 took the time to be here today.

1 As previously mentioned, the public comment period
2 ends Friday, January 31st, 2020. In order to be included
3 for consideration, comments must be received by 5:00 o'clock
4 p.m. on January 31st, and please submit your comments in
5 writing to: EGLE-PFAS-Rulemaking@michigan.gov. Again, more
6 details on where to send your comments and to learn more
7 details about the rulemaking process is on your printed
8 agenda.

9 The next steps in the rulemaking process after the
10 public hearing is preparing the Agency Report and the final
11 draft rules that will go first to the Environmental Rules
12 Review Committee. The Agency Report will include the
13 following: Identification of the comments that are the
14 basis for any rule changes, EGLE's rationale for making the
15 rules changes, transcripts from all three hearings, and a
16 copy of all written comments that resulted in a rule change.

17 The Environmental Rules Review Committee holds
18 meetings open to the public on the last Thursday of the
19 month and we expect that they be able to vote on the draft
20 rules at their February 27th or March 26th meeting.

21 From the Committee, the -- from the Committee the
22 Agency Report and the final rules then go through another
23 round of overview and approvals by the Legislative Services
24 Bureau and the Michigan Office of Administrative Hearings
25 and Rules before they are forwarded to the Joint Committee

1 on Administrative Rulemaking or JCAR. JCAR has 15 full
2 session days in which to consider the rule package. We're
3 hoping for the rules to be promulgated in April or May.

4 All right. So like I said, I'm going to
5 temporarily suspend the hearing until, you know, if we have
6 more comments, people want to make comments before 8:00
7 o'clock, we'll re-open it up and take those comments. But
8 otherwise, we have staff out there to answer your questions,
9 stick around. Dave and Eric will be here as well, you can
10 talk to them. Thank you all very much for joining us
11 tonight. Thank you.

12 (Off the record)

13 MR. OSTROWSKI: Okay. I'm reopening -- I'm
14 reopening the hearing to see if there is any more comments
15 and there are no commentors or comments in the room, so I'm
16 going to read off my last statement and close it off.

17 As previously mentioned, the public comment period
18 ends Friday, January 31st, 2020. In order to be included
19 for consideration, comments must be received by 5:00 o'clock
20 p.m. on January 31st. Please submit comments in writing to:
21 EGLE-PFAS-Rulemaking@michigan.gov. Again, more details on
22 where to send your comments and to learn more details about
23 the rulemaking process is in the printed agenda.

24 Thank you all for your time and attention. The
25 hearing is now closed.

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(Proceedings concluded at 7:55 p.m.)

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