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PRESS STATEMENT

Delaware Riverkeeper Network Declares National Importance of New Jersey Institute's Recommended Safe Drinking Water Standard for PFOA

Bristol, PA – The New Jersey Drinking Water Quality Institute has posted its report “Health-Based Maximum Contaminant Level Support Document: Perfluorooctanoic Acid (PFOA)” after more than a year of study. The report was supposed to be issued in June but was delayed for several weeks, finally being publicly released on September 12. The lengthy report analyzes scientific literature, health studies, and other technical information, concluding with a recommendation for a health-based maximum contaminant level (MCL) of 0.014 ppb (14 ppt or ng/L) for PFOA in New Jersey drinking water supplies.

According to standard procedure, after a public comment period is announced at the September 22 Drinking Water Quality Institute meeting, a final recommendation will be made to the NJ Department of Environmental Protection (NJDEP). NJDEP will then be responsible for issuing a proposed regulation to establish the mandatory safe drinking water standard that will apply to New Jersey's drinking water supplies.

Perfluorinated compounds (PFC) surfaced as a contamination problem in New Jersey in 2005 when tap water samples taken by Delaware Riverkeeper Network in the neighborhoods close to DuPont's Chambers Works facility in Deepwater, New Jersey on the Delaware River revealed PFOA. After public complaint, NJDEP investigated the occurrence of perfluorinated compounds throughout the state and issued a guidance level of .04 ppb (40 ppt or ng/L) for PFOA in 2007.

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The NJ Drinking Water Quality Institute was shut down by the Christie Administration in 2010, just as the Institute was going to release its recommendation for an MCL for PFOA. After an expose by Delaware Riverkeeper Network of the dangerously high concentrations of another PFC which is highly toxic at very low doses, perfluorononanoic acid (PFNA) in drinking water in the region around Solvay Specialty Polymers, a plastics manufacturer in West Deptford, Gloucester County, NJ, the Institute was finally reconvened in April 2014 due to public and municipal government outcry. In June 2015, the Institute issued a recommendation to New Jersey Department of Environmental Protection (DEP) for PFNA of 13ng/L. DEP has taken no action to adopt the drinking water standard, offering no excuse for why DEP has shelved the recommendation, despite public complaints and the urgent need for clean drinking water in communities subjected to PFNA contamination.

Since then, much more has occurred regarding public knowledge and inquiry into the nationwide PFC contamination problem but, unfortunately, not enough government action has resulted. For example, the U.S. Environmental Protection Agency (EPA) issued a short term health advisory in 2009 (0.4 ppb for PFOA and 0.2 ppb for Perfluorooctane sulfonate (PFOS), another toxic PFC) that was wrongly assumed across the nation to be a safe drinking water level. Further regulatory action, promised by EPA, was stymied and languished, while companies responsible for releasing the toxic compounds had to be taken to task through private law suits as residents struggled to address the health effects of PFCs in their communities¹.

Subjected to growing public concern based on the discovery of widespread contamination of drinking water by PFOA and PFOS in many states by firefighting foams discharged to the environment primarily by military bases, EPA issued a combined drinking water health advisory for Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonate (PFOS) of .07 ppb (70 ppt) in May, 2016. EPA's health advisory, unfortunately, is too little, too late. Delaware Riverkeeper Network does not consider this level to be protective of human health considering the many scientific reports and studies that show adverse health effects at much lower concentrations. Treating drinking water only to EPA's advisory level allows the public to continue to be exposed to dangerous concentrations of PFOA and PFOS, increasing the risk of people developing disease from this exposure.

¹ "The Lawyer Who Became DuPont's Worst Nightmare", Nathaniel Richjan, 2016 <http://nyti.ms/1Vl1Tgg>

The scientific literature and the data gleaned from health studies show that perfluorinated compounds (PFC) are linked to serious disease, including cancers, and detrimental human health conditions.² Fetuses, infants, and children are the most vulnerable populations due to negative developmental impacts, which also affects pregnant women, women of child bearing age and women who are breastfeeding. Chief among the new bodies of data and findings available for PFOA are those from the court-ordered C8 Health Panel and the C8 Health Project in West Virginia, related to the Dupont facility there. Among the conclusions of this multi-year study of human subjects, their blood and scientific reports, it was found that PFOA is correlated with Kidney Cancer, Testicular Cancer, Thyroid Disease, High Cholesterol, Pregnancy-Induced Hypertension/Preeclampsia, and Ulcerative Colitis.³ In addition to the six diseases with probable links, the study also verifies probable links to decreased birth weight and decreased response to vaccines. A report reviewing all of the studies on low birth weight concluded that PFOA does reduce human birth weight⁴. The new Drinking Water Quality Institute report will bring forward the most comprehensive, up to date and relevant scientific literature on PFOA.

The Drinking Water Quality Institute report and recommended MCL is the biggest step any government entity has taken towards a mandatory safe drinking water standard that will protect public health. The Institute developed a health-based MCL for PFOA "...using a risk assessment approach intended to protect for chronic (lifetime) drinking water exposure."⁵ Citing the known health effects of PFOA, its biological persistence and bioaccumulation in humans from drinking water, the conclusion that it is "likely carcinogenic" by EPA's Science Advisory Board, "possibly carcinogenic" by the International Agency for Research on Cancer and as "suggestive evidence of carcinogenic potential" by EPA's Office of Water, as well as several non-carcinogenic adverse health effects, the Institute has recommended the strictest standard in the nation.

"If NJDEP follows through and adopts the recommendation of the Drinking Water Quality Institute, the MCL will set a new bar for the removal of these toxins from our drinking water, action that is urgently needed by communities suffering PFOA contamination," said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network. "Science, public and legal advocacy and peoples' demand for clean water has finally, after decades, brought us to the point of a science-

² <https://www.epa.gov/sites/production/files/2015-09/ucmr-3-occurrence-data.zip>

³ <http://www.c8sciencepanel.org/newsletter10.html>

⁴ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4181929/pdf/ehp.1307893.pdf>

⁵ <http://www.nj.gov/dep/watersupply/pdf/pfoa-hb--mcl-public-review-draftwithappendices.pdf>, Abstract.

and health-based recommendation being considered for a drinking water standard for PFOA. This hopefully will bypass the politics and compromises that have plagued this issue and that led to an EPA health advisory level that is not protective of human health and decades of those responsible for the contamination – corporations and the military - being given a pass by regulators. This step towards protecting the public from this highly toxic pollutant will require public advocacy and community action to make sure a mandatory standard is actually adopted by NJDEP for PFOA and also for PFNA and other toxic PFCs, with a goal of ending an era of shameful inaction on the part of government,” said Carluccio.

Delaware Riverkeeper Network will be providing comment on the record by a toxicology expert who will examine the Institute’s risk assessment report and technical analyses to evaluate the recommended MCL of 0.014 ppb and to provide an independent assessment of the Practical Quantification Level for PFOA offered by the Institute.⁶

For more information from Delaware Riverkeeper network on this issue:

<http://www.delawariverkeeper.org/ongoing-issues/perfluorooctanoic-acid>

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⁶ To see the DWQI PQL report: <http://www.nj.gov/dep/watersupply/pdf/testing-subcompql-pfoa-8.29.16KA.pdf>