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Contacts:

Maya van Rossum, the Delaware Riverkeeper, keepermaya@delawareriverkeeper.org 215-801-3043 (mobile)

Tracy Carluccio, Deputy Director, tracy@delawareriverkeeper.org 215-692-2329 (mobile)

Delaware Riverkeeper Network Statement on Pennsylvania's Decision to Propose Safe Drinking Water Standards for PFAS in Drinking Water *Four-year battle for mandated removal of toxic compounds moves closer to success*

Harrisburg, PA – Today at their public meeting the Pennsylvania Environmental Quality Board (EQB) considered the rulemaking Petition submitted by Delaware Riverkeeper Network in May 2017 to establish a safe drinking water standard (also called a maximum contaminant level or MCL) for Perfluorooctanoic Acid (PFOA) between 1 parts per trillion and 6 parts per trillion.

The EQB voted (with 18 yes votes and 1 no vote) to approve moving ahead with a rulemaking to establish an MCL for PFOA. DEP will start the process based on not accepting DRN's petition for a PFOA MCL of 1 ppt or no greater than 6 ppt because DEP does not consider DRN's MCL to consider all the factors that DEP must. DRN does not agree with this assessment and has explained why in the report it filed with DEP, which can be downloaded here: <https://bit.ly/3goQ5IT>

The decision by the EQB for a rulemaking to establish a statewide MCL is historic. DEP stated that this is the first time they have ever acted under the State's Safe Drinking Water Act to establish a regulation at the state level to require the removal of a contaminant from public drinking water. DRN will continue to advocate for the strictest, most protective drinking water standard for PFOA and other PFAS to protect public health and the environment, utilizing the upcoming rulemaking process.

"It is quite disturbing that the Delaware Riverkeeper Network had to file a petition and a lawsuit to get the PA DEP to finally advance critical drinking water protections from PFAS contamination. If it had not been for the work my organization, the Delaware Riverkeeper Network, it is clear that PADEP would have continued to sit on their hands, make excuses, and blame others for the harms being inflicted on Pennsylvania's families and natural resources. The people of

DELAWARE RIVERKEEPER NETWORK
925 Canal Street, Suite 3701
Bristol, PA 19007
Office: (215) 369-1188
fax: (215) 369-1181
drm@delawareriverkeeper.org
www.delawareriverkeeper.org

Pennsylvania have a constitutional right to clean water and a healthy environment and to a government that is working to put their best interests first. I hope PADEP will now start a swift process to put forth the high level protections the people of Pennsylvania are entitled to,” **said Maya K. van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network.**

“This day has been a long time coming for the people of Pennsylvania who have a Constitutional right to clean, safe water. Delaware Riverkeeper Network was driven to file this action and the subsequent lawsuit to push the Petition because of the intolerable lack of regulation of these highly toxic PFAS contaminants, so prevalent in our environment and so dangerous to human health. Pennsylvanians have been exposed to dangerous concentrations of PFAS in their drinking water for decades and they didn’t even know it. Now finally statewide action by PADEP will accomplish what the federal government has not – statewide regulations that will require the removal of PFAS from our drinking water. We will continue to work for the strictest, most protective standards possible geared to protecting the most vulnerable among us – children. We will also continue our litigation to achieve justice under the law for our environmental rights,” **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

Background

On May 8, 2017, DRN filed a Petition with the Environmental Quality Board (EQB) to establish a maximum contaminant level (MCL) for PFOA between 1 parts per trillion and 6 parts per trillion. DRN’s Petition was accepted unanimously by a vote of the EQB members. Per the EQB’s regulations, the DEP was required to issue a report on the 2017 Petition within sixty days, or within another time period as suggested by the DEP. But two years passed with no report and no action to issue a rulemaking to establish an MCL for PFOA or any other PFAS. To push for action, DRN sued DEP in 2019 and legal proceedings have been ongoing. Finally, DEP responded with a report to DRN’s Petition in 2021. DRN responded with comments on their report and on the report produced by the Drexel PFAS Advisory Group, which makes recommendations for MCLs for several PFAS compounds. The DEP report, the DRN response report, and the Drexel PFAS Report have been made public for the deliberations of the EQB at their meeting today.

PFOA is a toxic compound in a family of chemicals known as per- and poly-fluoroalkyl substances (PFAS) and is currently banned from manufacture by major manufacturers within the United States. From the 1950’s until recently, companies such as DuPont and 3M used these chemical compounds to make products more stain-resistant, waterproof, and/or nonstick. Other companies such as Solvay Specialty Polymers in New Jersey produced durable plastic coatings. PFAS were also present in firefighting foam, used liberally and without containment on military bases and at firefighting schools. PFAS have been discharged into groundwater, surface water, and aquifers, causing contamination of the public’s water supply systems and pollution to Pennsylvania’s natural resources. In humans, PFOA exposure, even at very low levels, has been linked with significant health consequences including kidney cancer, testicular cancer, thyroid disease, high cholesterol, pregnancy-induced hypertension/preeclampsia, and ulcerative colitis.

There are numerous known and suspected PFAS contamination sites throughout Pennsylvania under investigation by the DEP and a sampling plan has been conducted by DEP over the past two years across the state. An infamous example of the Pennsylvania PFAS problem is the far-reaching and very high levels of the highly toxic compounds found in many Bucks and Montgomery County water supplies. At least fifteen public and two hundred private wells supplying at least 84,000 people with water, including DRN members, have been impacted with some of the highest contamination in the United States.

While the federal government has been unwilling to establish mandatory standards for PFAS, other states faced with the toxic contamination have issued state guidance levels or adopted maximum contaminant levels to safeguard their residents and inform cleanup response. To learn more about PFAS contamination in Pennsylvania and what other states have been doing, see DRN's report to the DEP PFAS Evaluation Report: <https://bit.ly/3goQ5IT>

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