



Verbal Testimony
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Ground Water Quality Standards, N.J.A.C. 7:9C-1.7 and Appendix Table 1;
Discharges of Petroleum and Other Hazardous Substances Rules, N.J.A.C. 7:1E Appendix A
May 5, 2017 Public Hearing

Thank you for the opportunity to comment on the **proposed amendments to New Jersey's groundwater quality standards** and the addition of **Perfluorononanoic Acid (PFNA)** to the List of Hazardous Substances. DRN supports the proposed amendments and will be submitting written comment to the record.

Today we would like to make a few comments verbally to explain why we consider this rulemaking to be of utmost importance for the protection of New Jersey's residents and the State's groundwater and environmental resources.

First, we support this action so that New Jersey can provide necessary protection to water by requiring limits on discharges to groundwater, protecting people's health and the ecological health of fish, aquatic life, wildlife and habitats, and setting standards for the cleanup of contamination.

It is a stunning fact that there are 14,357 active site remediation cases in New Jersey today. We are a heavily industrialized state with the greatest population density in the nation and more superfund sites than any other state. That means the state's pollution legacy combined with ongoing pollution releases into our environment exposes many many people, millions of people, to dangerous water contamination that can make us sick. The adoption of the 23 constituents proposed is an important start so that the work of cleaning up and preventing continued releases of these toxics can be accomplished on a permanent basis.

PFNA, one of the most highly toxic perfluorinated compounds known, is a case in point. PFNA is known to be toxic to humans, potentially affecting the liver and immune system, and may have negative developmental effects on babies and children – hitting them when they are most vulnerable with effects that can be indelible for a person's entire life. PFNA does not break down in the environment and builds up in the human body. The people in Gloucester County communities and elsewhere in NJ that have been exposed to PFNA in their drinking water and environment for years without knowing about it need the adoption of the groundwater standard for PFNA to ensure that the source of this toxic pollution will be stopped and cleaned up.

Secondly, we strongly support the addition of PFNA as a Hazardous Substance under the Spill Compensation and Control Act for these same reasons. With this listing there can be stricter control and prevention of spills of PFNA; those responsible for releasing PFNA into the environment will be liable to clean it up; and the Spill Fund can be used to help people who have been harmed and to supply them with clean water and a healthy environment. These actions are sorely needed by communities along the Delaware River that have been hit hard by Solvay and any other sources of PFNA as well as other locations where the toxin is being discovered in the environment.

DRN commented to DEP in 2015 in support of the revision to the draft interim specific groundwater quality criterion for PFNA. We submitted technical comments prepared by Dr. Fardin Oliaei and Don Kriens of Cambridge Environmental Consulting (“Cambridge”) which recommended a stricter standard than the one that DEP adopted. Cambridge Environmental Consulting recommended a groundwater standard of 5 ppt, based on their technical analyses of available data rather than the 10 ppt recommended by DEP.

The stricter value recommended is based on two things. One is the use of the reference dose for children ages 1 to 6 years to provide protection to this vulnerable group. The second is the consideration of a greater contribution factor from sources other than drinking water containing PFNA such as vegetables grown in contaminated areas, fish consumption, indoor air, and local soils.

Using these more conservative values, we recommend that the Specific Ground Water Quality Criterion and Standard be lowered to 5 ppt from the proposed 10 ppt. This will provide greater protection to children, who are more vulnerable than adults due to greater consumption of water per body weight and builds in greater protection from exposure to PFNA from sources in addition to drinking water.

Finally, the proposed rulemaking is essential so that the sources of contamination are remediated – otherwise, water systems are always struggling to remove the contamination to a maximum contaminant level without ever stemming the flow of the pollution plume to our drinking water sources. We advocate that DEP do both and do both immediately.

That is why we take this moment to insist that DEP do more to protect public health by immediately moving ahead with the adoption of safe drinking water standards for PFNA and Perfluorooctanoic Acid (PFOA), as well as other toxic compounds in New Jersey’s drinking water. The New Jersey Drinking Water Quality Institute (the Institute) has thoroughly researched PFNA and PFOA, perfluorinated compounds found in the water supply for millions of New Jerseyans. They completed their assessments and officially recommended a maximum contaminant level for PFNA – it will be two years ago in July – and for PFOA in February of this year.

Yet the Institute’s recommendations inexplicably languish on DEP’s desk. An MCL for 123TCP was recommended by the Institute as well as many other chemicals known to have harmful health effects, including cancer and other devastating disease. DEP has a responsibility to act to protect people from being exposed to elevated levels of toxic compounds. Toxins in our drinking water constitutes a public health emergency and DEP must respond to the alarm.