# CSWAB

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February 11, 2019

Gail Good, Bureau Director
Air Management Division
Wisconsin Department of Natural Resources
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**SENT BY ELECTRONIC MAIL**

Dear Director Good,

Per- and polyfluoroalkyl substances (PFAS) are a group of highly persistent bioaccumulative man-made chemicals that are currently **unregulated** under the Clean Air Act, raising many questions and concerns about the potential implications for public health and the environment. Following are questions concerning the current management and monitoring of potential PFAS air releases in Wisconsin intended to help inform a path forward.

**CURRENT AUTHORITY and LIMITATIONS:**

- Statewide, what are the existing sites and activities that are potentially significant sources of PFAS air emissions?
- What rules and authority does the Department currently have to manage sources of air releases of unregulated contaminants?
- Does Wisconsin have primary implementation and enforcement authority relevant to the Clean Air Act and what does this mean? What are the implications for the State given PFAS is not currently regulated under the Clean Air Act?
- How much PFAS-contaminated wastes and or excess product are currently being stored, treated or disposed of in Wisconsin?
- PCBs, for example, are subject to manifest requirements (as in 40 CFR 761.207). Are PFAS subject to the same or similar requirements? How would such information be beneficial?
- What steps could the State of Wisconsin take to better manage the treatment, storage, handling and disposal of PFAS while it remains unregulated under the Clean Air Act?
- How does deposition of PFAS air emissions contribute to contamination of soils, food crops, surface water and groundwater?
- Is the state considering regulating PFAS chemicals under its hazardous waste program?

**THERMAL TREATMENT/DISPOSAL SOURCES OF PFAS AIR EMISSIONS:**

- Which and how many facilities in Wisconsin are currently allowed to accept and thermally treat PFAS-contaminated wastes and/or product? Thermal treatment being inclusive of incinerators,

kilns, decontamination ovens, activated carbon regeneration facilities, boilers and industrial furnaces, waste to energy facilities, open burning/open detonation areas, and other similar activities.

- Are these facilities specifically licensed, operated and demonstrated to destroy PFAS-contaminated wastes and/or product? Destruction being the irreversible transformation of chemicals in order to avoid any present and potential toxic effect.
- Can active thermal treatment facilities/activities in Wisconsin currently accept PFAS waste and still be in compliance with their operating permit? Why or why not?
- How are ashes and other waste streams generated from thermal treatment of PFAS monitored and managed for PFAS contamination?
- What are the shortcomings of Wisconsin Spills Law in terms of managing and protecting air quality for PFAS?
- What methods are currently available to accurately monitor PFAS air emissions? What are the implications?
- Are there any thermal treatment units in Wisconsin that could accept PFAS waste that are too small to require an air permit? What are the possible implications?
- Are active open burning/open detonation sites like Fort McCoy explicitly prohibited from treating or accepting PFAS-contaminated wastes and/or excess product? If not, what are the potential implications?

Sincerely,

Laura Olah, Executive Director

Enclosure: Joint Statement on Thermal Treatment and Disposal of PFAS

CC: Joseph Van Rossum, Bureau Director Waste and Materials Management, Joseph.VanRossum@wisconsin.gov