January 31, 2020

Public comment on EPA-HQ-TRI-2019-0375
EPA Proposed Rule – Addition of Certain Per- and Polyfluoroalkyl Substances: Community Right-to-Know Toxic Chemical Release Reporting

PFAS contamination has been detected in soil and groundwater in communities throughout Wisconsin including Camp Douglas, Chilton City, Hudson, La Crosse, Madison, Manitowoc, Marinette, Middleton, Milwaukee, Rhinelander, South Milwaukee, Sparta, and Superior.

Altogether, 36 PFAS compounds have been detected in or pose a significant threat to Wisconsin’s groundwater resources. In response to formal petitions from Citizens for Safe Water Around Badger (CSWAB), state health officials are currently working on health-based standards for all 36 compounds in groundwater – the primary source of drinking water for Wisconsin residents.

We encourage the EPA to list ALL per- and polyfluoroalkyl substances (PFAS) that the Agency has permitted chemical industry to manufacture, making all PFAS subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act and section 6607 of the Pollution Prevention Act (more commonly known as the Toxics Release Inventory or TRI).

In conjunction with other information, TRI data can be an effective tool in evaluating exposures and the risks posed by both direct and indirect exposures to PFAS. Detailed information on the releases and waste management quantities from facilities will assist EPA, state regulators, health officials, site workers and the public identify potential sources of exposure to PFAS.

As highly persistent, bioaccumulative, and toxic (PBT) chemicals, PFAS should be regulated as chemicals of special concern with correspondingly low reporting thresholds. As with other PBT chemicals with very high persistence and bioaccumulation values, the reporting limit for the summed total of all PFAS should be zero. This is consistent with proposed Wisconsin legislation such as the CLEAR Act which will require regulators to “consider all known perfluoroalkyl or polyfluoroalkyl substances to be air contaminants” with a reporting level of “zero pounds per year”.

Further, listing of individual PFAS compounds on the TRI is made necessary by the fact that manufacturers and responsible parties uniformly refuse to disclose PFAS product content and composition, arguing that such information is proprietary. This secrecy places public health and the environment at risk by unilaterally blocking the accurate assessment of risk, compromising the successful design and selection of remedial actions, and obstructing the public’s right to know.

Annie Appleseed Project
Citizens Advisory Committee of the Town of Peshtigo
Clean Water Action Council of Northeast Wisconsin.
Coalition to Save the Menominee River
Concerned Friends & Neighbors of SOH2O
Crawford Stewardship Project
Citizens for Safe Water Around Badger (CSWAB)
Eastside Planning Council- Madison, WI
Echo Valley Hope
Ethos Green Power
Family Farm Defenders
Friends of Lake Wingra
Friends of Starkweather Creek
League of Women Voters of Wisconsin
Madison Audubon Society
Midwest Environmental Advocates
Midwest Environmental Justice Organization
Physicians for Social Responsibility Wisconsin
Project Outreach
Quint LLC
Safe Skies Clean Water Wisconsin
The Cornucopia Institute
Twin Ports Action Alliance
Valley Stewardship Network
Viroqua Climate Group
WI Network for Peace, Justice & Sustainability
Wisconsin Resources Protection Council
Wisconsin Alliance for Women’s Health
Wisconsin Conservation Voters
Wisconsin Environmental Health Network

SUBMITTED online via U.S. EPA website by:
Laura Olah, Executive Director, Citizens for Safe Water Around Badger, E12629 Weigand’s Bay South, Merrimac, WI 53561 on behalf of the above 30 environmental and social justice organizations – all from Wisconsin.