

February 15, 2022

Ms. Laurie Ross
Natural Resources Board Liaison
101 South Webster St
Madison, WI 53707

Subject: February 2022 Natural Resources Meeting and Support of the Adoption of PFAS Standards for Groundwater, Surface Water and Drinking Water (NRB Items 4. C, D & E)

Dear Ms. Ross:

Please find enclosed my written testimony in support of the adoption of Natural Resource Board action items 4. C., D., and E. establishing protective state standards for PFOA and PFOS for groundwater, surface water and drinking water. I am also requesting the opportunity to speak at the February 23, 2022 NRB meeting. I am representing myself in this matter.

I support the state of Wisconsin moving forward on adoption of PFOA and PFOS standards - and not waiting years for US EPA to establish standards - for these 3 reasons:

1. **There are downsides to waiting on U.S. Environmental Protection Agency to establish federal PFAS Standards**

I am writing in support of the adoption of protective PFOA and PFOS state standards at this NRB meeting, rather than relying on the U.S. Environmental Protection Agency (EPA) to establish standards in the next 3 to 7 years. There is no guarantee that EPA will meet the proposed timeframe of enacting standards for drinking water and surface water. EPA will face resources challenges in meeting their ambitious commitments, let alone legal challenges from the chemical industry. The drinking water standards developed by EPA will take years. Further, once in effect, the rules will not require monitoring and compliance until 3 *additional* years after promulgation of the federal regulation. Waiting for US EPA will not address the citizens and wildlife that rely on our groundwater and surface water for consumption. Only the state of Wisconsin - not EPA - has the legal authority to establish standards for groundwater, private potable wells and bottled water.

2. **PFOA and PFOS are well-studied chemicals of human health concern that also pose environmental justice concerns to Wisconsin residents and communities.**

Environmental justice is a growing concern around this great nation of ours. And that concern applies not only to traditionally disadvantaged communities of color but also to rural, economically challenged residents that rely on municipal or private wells for their drinking water. Residents in Wisconsin towns like Unity, Campbell and Peshtigo deserve to have safe drinking water, regardless of an individual homeowner's or community's ability to pay for that safe water. Delaying the adoption of these state administrative rules will mean there is no required statewide sampling of public water supplies, no required reporting of results to the public, and no public health standard to assure Wisconsin

residents and their families that the water they are drinking is safe. Wisconsin's economically challenged communities may miss out on federal grant opportunities if we delay. Local governments and businesses need certainty on what levels of PFOA and PFOS in our public waters are safe or not.

3. **Seize the opportunity to find PFAS problems NOW - not in 5 to 7+ years - to take advantage of historic levels of federal infrastructure grants (not loans).**

Wisconsin communities may be faced with the dilemma of missing out on 100's of millions of dollars in the next 5 years of federal PFAS infrastructure funds if these rules are not adopted. Without these rules, there is no requirement to conduct routine monitoring for PFOS and PFOA in municipal drinking water or wastewater. And without that statewide monitoring and the requirement to notify the DNR and local citizens of the results, PFAS problems in our municipal water systems will go undetected and unreported for years. Without data, Wisconsin communities risk not being eligible for federal PFAS infrastructure GRANTS. Once the infrastructure funds are gone, communities may be eligible for LOANS from the state, which unlike a grant, need to be paid back by taxpayers. If we simply delay finding these historic, already occurring PFAS problems, we risk exposing our sensitive populations to these chemicals for additional years and risk missing out on grants (not 30+ year loans) to address these issues.

If we do not adopt state standards to address PFOA and PFOS, but rather elect a "kick-it-down-the-road" approach to the existing problem of PFAS in our public waters, my experience is that contamination does not stand still until we are ready to address it. It spreads, impacts the health of more residents, contaminates our fish, deer and waterfowl and makes the cleanup and treatment of the problem even more expensive.

Thank you for your consideration of my comments.

Sincerely,
Darsi Foss
Madison, WI
darsi@foss-speer.net
Phone number upon request