Testimony for the Record

by the Environmental Working Group

Submitted to the Environment Subcommittee

of the

House Committee on Oversight and Reform

on

The Devil They Knew – PFAS Contamination and the Need for Corporate Accountability

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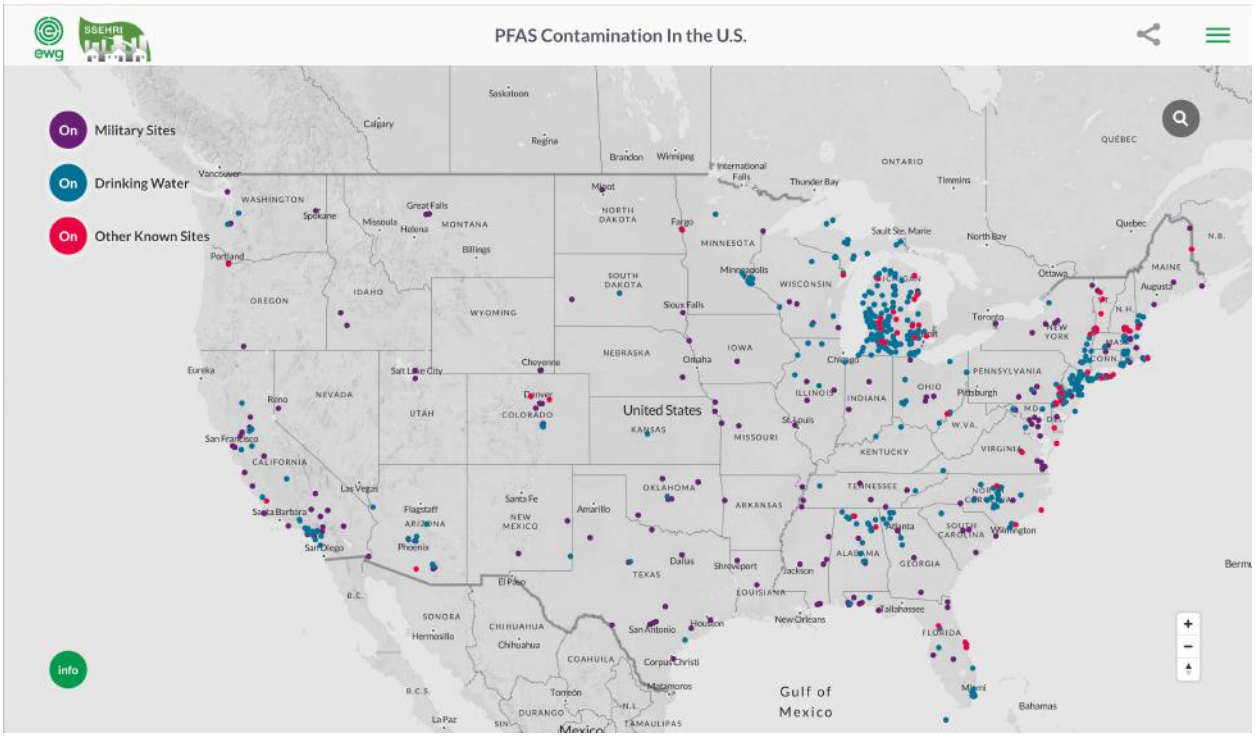
Per- and poly- fluoroalkyl substances, or PFAS chemicals, have been linked to cancer and harm to the reproductive and immune systems. PFAS contamination has been found in more than 700 communities. More than 100 million Americans may have PFAS in their drinking water.



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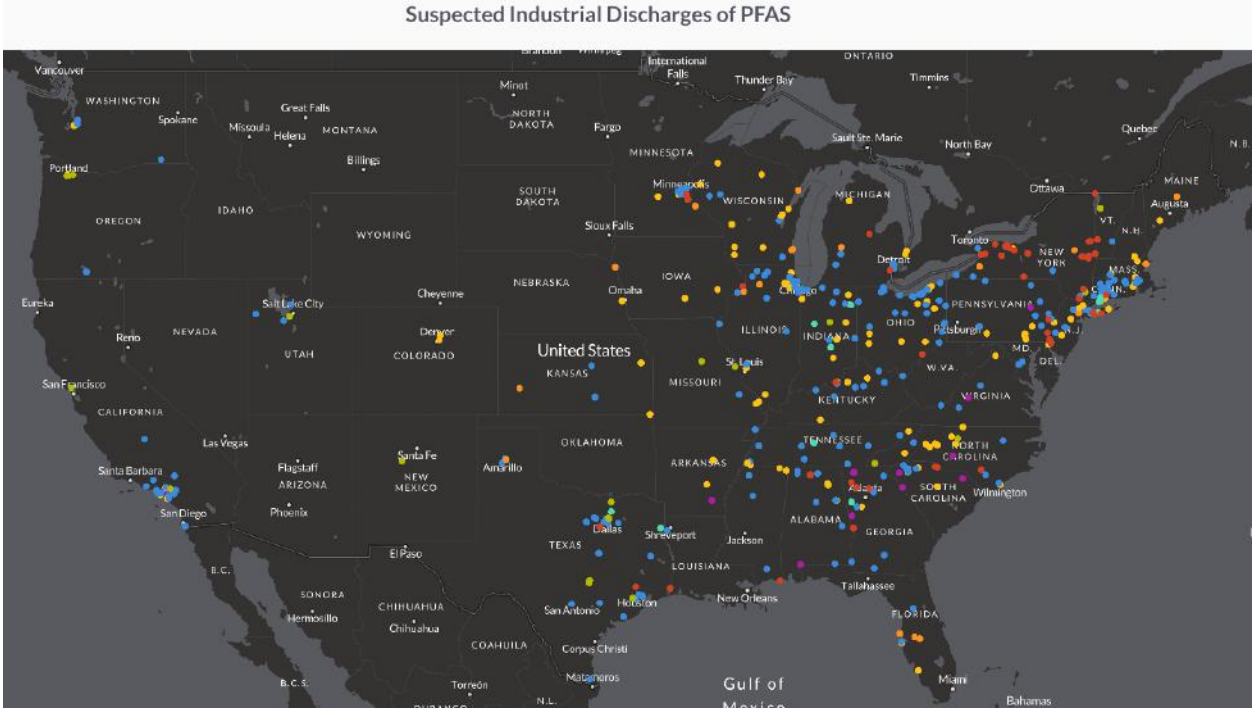
Because PFAS are "forever chemicals" that never break down once released into the environment, they build up in our blood and organs. About one-quarter of Americans have unsafe PFAS levels in their blood. Major sources of PFAS contamination are firefighting foams made with PFAS, industrial discharges of PFAS into the air and water, and PFAS used in food packaging and other everyday consumer products. Once released into the environment, PFAS chemicals enter our bodies through our food and drinking water, among other routes.

Despite the risks they pose, there are no legal limits on releases of PFAS chemicals, nor are there any legal requirements to clean up legacy PFAS contamination. Military and civilian firefighters continue to use PFAS firefighting foams that seep into drinking water supplies. Because these fluorinated foams have been used for decades, hundreds of military installations are contaminated.

What's more, manufacturers continue to discharge PFAS into the air and water. Nearly 500 facilities are suspected of releasing PFAS chemicals, but these manufacturers are not subject to any environmental or reporting requirements specific for PFAS. Water utilities are not federally required to remove PFAS from our tap water or even test for its presence.



Because PFAS have not yet been designated as "hazardous substances" under the federal Superfund law, PFAS manufacturers are not required to clean up legacy PFAS contamination, even though companies like 3M and DuPont knowingly released toxic PFAS chemicals for decades. Internal company documents demonstrate that PFAS manufacturers like 3M and DuPont for decades knew of the risks PFAS chemicals posed to their own workers and neighboring communities but failed to tell the EPA or state regulators.

PFAS manufacturers like 3M and DuPont have known for nearly 70 years that PFAS builds up in our blood, and have known for nearly 60 years that PFAS has a toxic effect on our organs. But these companies waited until 1998 to alert federal and state regulators, and some companies continue to make and release PFAS chemicals into the environment today.

Attachments A and B include timelines and supporting documents. Key highlights include:

1950 – 3M mice study reveals that PFAS builds up in blood.

1956 – Stanford University study finds that PFAS binds to proteins in human blood.

1961 – DuPont toxicologist warns that PFAS chemicals enlarge rat and rabbit livers.

1962 – Volunteers who smoke PFAS-laced cigarettes get "polymer fume fever."

1963 – PFAS deemed toxic in 3M technical manual.

1965 – DuPont rat study shows liver damage and increased spleen size.

1966 – FDA rejects DuPont food additive petition, citing liver studies.

1966 – 3M study finds PFAS causes "acute oral toxicity" in rats.

1970 – 3M warns Fire Journal that PFAS is toxic to fish.

1970 – DuPont scientists say PFAS is "highly toxic when inhaled."

1973 – DuPont finds there is no safe level of exposure to PFAS in food packaging.

1975 – 3M alerted that PFAS builds up in human blood samples.

1975 – DuPont warns 3M about "toxic effects" of PFAS in food packaging.

1977 – 3M tests workers and animals to measure PFAS in blood.

1977 – 3M finds PFOS "more toxic than anticipated."

1978 – 3M animal tests find lesions on spleen, lymph nodes and bone marrow.

1978 – 3M concludes that PFOA and PFOS "should be regarded as toxic."

1979 – DuPont survey of Washington Works employees finds possible liver damage.

1981 – 3M and DuPont reassign women after animal studies reveal PFAS damages the eyes of the developing fetus.

1983 – 3M identify PFAS' potential harm to the immune system as cause for concern.

1984 – 3M documents rising fluorine levels in workers' blood.

1984 – DuPont detects PFAS in the tap water in Little Hocking, Ohio, but does not alert water utility.

1987 – 3M PFOA animal study finds tumors.

1989 – 3M study finds elevated cancer rates among workers.

1990 – 3M study finds risk of testicular cancer.

1992 – DuPont study finds elevated cancer rates among workers.

1993 – Former 3M scientist finds male workers more likely to die from prostate cancer.

1995 – DuPont scientist expresses concern over long-term PFAS health effects.

1997 – DuPont study finds heightened cancer rates among workers at Washington Works plant.

1998 – 3M scientists report that PFAS moves through the food chain.

1998 – 3M provides EPA evidence that PFAS accumulates in blood.

1998 – 3M animal study finds liver damage.

1999 – 3M scientist describes PFOS as "the most insidious pollutant since PCB."

2000 – 3M animal study finds liver damage.

As a result of ongoing and legacy PFAS pollution, millions of Americans may be at a heightened risk of testicular and kidney cancer, reproductive problems like preeclampsia, high cholesterol, thyroid disease and harm to the immune system that reduces the effectiveness of vaccines.

Nevertheless, Trump's EPA has refused to act. Last year the Trump Administration proposed a PFAS Action Plan that did nothing to address the growing PFAS contamination crisis.

In response, the House and Senate versions of the National Defense Authorization Act for FY 2020 include critical bipartisan PFAS reforms. In particular, provisions in the House and Senate versions of the NDAA would require polluters to clean up legacy PFAS contamination; require manufacturers to obtain permits before discharging PFAS into water supplies; set a deadline for the EPA to develop of drinking water standards; end the military's use of PFAS in firefighting foam and food packaging; ensure proper disposal of PFAS wastes; require the disclosure of PFAS discharges into the water and air; and expand monitoring for PFAS.

In particular, the Dingell-Kildee amendment to H.R. 2500 would designate PFAS as "hazardous substances" under CERCLA, the Superfund Law. By doing so, the Dingell-Kildee amendment will kick-start the remediation process at the sites most contaminated by PFAS and ensure that polluters like 3M and DuPont pay their fair share of cleanup costs.