

Testimony Provided to Joint Democratic Committee
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September 6, 2024

Hello, my name is Gretchen Salter and I am a strategic advisor with Safer States. Safer States is a national alliance of environmental health organizations seeking government and corporate action that lead to safer chemicals and materials. Thank you for your invitation to this important hearing today and thank you for the work you are doing to eliminate PFAS from the environment and products.

Safer States has been tracking PFAS legislation in states since 2018 and have worked with advocates and legislators to ensure that policy addressing PFAS contamination is based in science and protective of public health. In my role at Safer States, I have testified before several states including Maine, New Jersey, Minnesota and Colorado on PFAS policy. I have learned much from these hearings and hope that I can provide answers to questions that usually arise, particularly questions that stem from arguments you may have heard from special interests that oppose PFAS regulation

Make no mistake. All PFAS are toxic. The key trait that all PFAS share is the bond that is formed between carbon and fluorine. This bond is the strongest bond in organic chemistry and it is what makes these chemicals persist in the environment. PFAS are known as forever chemicals because of this bond and while some PFAS can degrade (often into other PFAS), they never disappear— from our water, from our soil, from our bodies.

Given the work I have done over the past seven years, I can predict some of the arguments makers and users of PFAS are using to convince you that they should be allowed to continue to use these harmful chemicals. I'll take these arguments one at a time and expose them for what they really are: just myths.

First, my guess is that many on this call have heard or will soon hear that the definition of PFAS needs to exclude certain PFAS including polymers or fluorinated gases. You may have been told that states are starting to adopt this definition and that the US EPA uses a definition exempting polymers and gases. But these arguments are designed to confuse the issue and confuse anyone who may not have a degree in chemistry. There are several reasons why the definition of PFAS should remain the way that it is in Rep. Scott's legislation.

1. Twenty-three states, the Department of Defense and by the Organization of Economic Organization and Cooperation all use the definition that states that PFAS are any

chemical with one fully fluorinated carbon— essentially any chemical that has the fluorine-carbon bond that I spoke about earlier. It is the definition that will provide the most consistency to manufacturers since it will mirror regulations on consumer products passed in other states. It is notable that similar pressure to change the PFAS definition was exerted in Maine, Minnesota, Colorado, Indiana, Connecticut and Rhode Island this past legislative session and all of these states rejected claims that the definition of PFAS should be changed.

2. Over 150 PFAS researchers and experts have signed on to a letter stating that the “1 fully fluorinated carbon” definition, the definition that is used in Rep. Scott’s legislation, is the right one to use.
3. While manufacturers and users of PFAS advocate for states to use the EPA definition, it is important to note that EPA has refused to adopt an agency-wide scientifically based definition, opting instead to define PFAS on a [case by case basis](#), creating unnecessary confusion. Moreover, the definition industry prefers would result in thousands of compounds being left out of any regulation resulting in regrettable substitutions by encouraging a shift to PFAS not covered by the definition.
4. Exempting polymers and gases will result in more PFAS in the environment. PFAS polymers can be thought of as plastics that contain carbon-fluorine bonds. The manufacturing, use, and disposal of PFAS polymers emits harmful fluorinated building blocks and PFAS greenhouse gasses. Almost all of historical PFAS environmental contamination has originated from polymer production. PFAS polymers are also persistent (meaning they last in the environment for a very long time). Since PFAS polymers are essentially plastics, having these in the environment exacerbates and even accelerates that ongoing microplastic crisis.

Additionally, there is no scientific reason a PFAS should not be considered a PFAS if it is in a gas or volatile liquid form. Communities can still be [exposed](#) to these PFAS and they can still cause harm. PFAS gases are one of the largest sectors in PFAS manufacturing and it is growing, despite alternatives that are available for many of its applications.

Another myth that this committee may hear is that certain PFAS are needed to meet climate goals and that these uses should be permanently exempted from any regulation or law. The notion that PFAS are the only way to meet our climate challenges is patently false and a dishonest attempt to convince those who are committed to confronting the climate crisis that they have to trade public health for the environment. This messaging cynically assumes the necessity of using toxic chemicals while ignoring the availability of or the ability to develop safer alternatives. For example, due to pressure from firefighters and state and federal lawmakers, PFAS free firefighting foams as well as PFAS-free firefighter turnout gear are both available and meet performance criteria. We are also starting to see PFAS alternatives in the semi conductor industry which, incidentally, is saving the manufacturer money.

If certain industries are preemptively excluded from this bill, it removes motivation to innovate in these sectors.

The beauty of Rep. Scott's bill is that it allows for state agencies to give time-limited exemptions to those industries whose use of PFAS is necessary for health, safety or functioning of society while encouraging the development of safer alternatives. If certain industries are exempted forever, that incentive to find safer alternatives will be gone and communities in Pennsylvania will continue to be exposed unnecessarily to PFAS.

The final myth I will address is the claim that the essential-uses framework is unworkable and that states are abandoning it or are "a mess."

Again, these claims have no basis in fact.

Pennsylvania is already spending huge amounts of taxpayer dollars to clean-up and remediate PFAS contamination in the state. Policies and investments that incentivize the drive for safer alternatives to PFAS will ultimately SAVE the state money to mention protect the health of its millions of residents.

Finally, any claim that the state of Maine found this framework unworkable or unimplementable is misleading. While Maine did make some changes to their law this past session, the main reason for the change was due to Maine having a small department and not allocating additional staff for implementation. I recently spoke to the bill's author, Rep. Lori Gramlich, who confirmed this information. Maine reiterated its commitment to eliminating PFAS and while a few industries were exempted for political reasons, it should be noted that Minnesota did not take any of these exemptions when pressured. Indeed, the Minnesota Pollution Control Agency which is charged with implementing its PFAS law, WAS allocated sufficient resources and staff to implement their law and the implementation process in Minnesota has been going smoothly.

I am sure that Pennsylvania legislators will hear more claims that PFAS are necessary, that some of them aren't as bad as others and that the only way to continue our way of life is to accept polluted water, air, farms and homes. But that just isn't true. Pennsylvanians and indeed all Americans have been exposed to these chemicals for far too long. And those who make and use PFAS have a horrid track record when it comes to being honest with lawmakers and the public. They knew, for decades, that these chemicals were toxic but kept the truth hidden for years so that they could continue to turn a profit. This isn't how American business is supposed to behave— poisoning us, our children and future generations— all to make money. I urge you, as you move forward in considering PFAS policy, to reject the myths I have outlined today and to be skeptical of any new information peddled to you in the hopes of continued use of PFAS. Thank you.