

The Federal Role in the Toxic PFAS Chemical Crisis: U.S. Senate Homeland Security and Governmental Affairs Committee Hearing



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

10/04/2018

The United States Senate Homeland Security and Governmental Affairs Subcommittee (“Subcommittee”) held a September 26th hearing titled:

The Federal Role in the Toxic PFAS Chemical Crisis

Two panels of witnesses addressed various aspects of the chemical Per-and Polyfluoralkyl substances (“PFAS”).

PFAS include a large group of man-made chemicals that include perfluorooctanoic acid, perfluorooctane sulfonate, and GenX chemicals.

PFAS properties include resistance to heat, water, oil. Further, they have been described as persistent in the environment and resist degradation. The compounds have been used in various industrial applications of consumer products such as:

- Fabrics for furniture
- Paper packaging for food and other materials resistant to water, grease or stains
- Firefighting airfields
- Utilization in several industrial processes

Potential human exposure to PFAS includes pathways through drinking water, air or food.

Witnesses at the September 26th Subcommittee hearing included:

Peter C. Grevatt, Ph.D., Office of Ground Water and Drinking Water, Office of Water, U.S. Environmental Protection Agency

Maureen Sullivan, Deputy of the Assistant Secretary of Defense, Energy, Installations & Environment, U.S. Department of Defense

Linda S. Birnbaum, Ph.D., D.A.B.T., A.T.S., Director, National Institute of Environmental Health Sciences and National Toxicology Program, National Institutes of Health, U.S. Department of Health and Human Services

Brian J. Lepore, Director, Defense Capabilities and Management, U.S. Government Accountability Office

Andrea Amico, Co-Founder, Testing for Pease

Arnold Leriche, Community Co-Chair, Wurtsmith Restoration Advisory Board

Timothy Putnam, Jr., Vice President, Tidewater Federal Firefighters Local F-25, International Association of Fire Fighters

The United States Environmental Protection Agency witness stated that the agency has previously committed to work on four actions which include:

1. Initiating the steps to evaluate the need for a Safe Drinking Water Act maximum contaminant level for PFOA and PFOS
2. Beginning the necessary steps to consider designating PFOA and PFOS as “hazardous substances” through one of the available statutory mechanisms, including potentially CERCLA Section 102
3. Considering groundwater cleanup recommendations for PFOA and PFOS at contaminated sites
4. Working in close collaboration with federal and state partners to develop draft toxicity values for GenX (HFPO dinner acid) and for Perfluorobutane Sulfonic Acid (PFBS)

A link to the written statements of the witnesses testifying at the hearing can be found [here](#).