To: Azzam, Nidal[Azzam.Nidal@epa.gov]; DeRosa, Pat[Ex. 6 - Personal Privacy]; Iott,

Ex. 6 - Personal Privacy

From: Jennifer Griffith
Sent: Tue 2/14/2017 4:20:19 PM
Subject: PFAS - States/EPA Call - Follow-up from Feb 9th - studies/breaking news/questions
removed.txt
Barton, Catherine 2010.pdf
Davis, Katherine 2007.pdf
Shin, Hyeong-Moo 2011.pdf

To: NEWMOA PFAS Working Group

Some follow-up information from our February 9th call:

- **The March States/EPA call will be postponed 1 week – to Thursday**

March 16th 10:30 to 12:00 (March 9th is the NEWMOA Directors meeting)

•□□□□□□□□ **The summary of sampling done so far in NH** is here: http://www.des.nh.gov/organization/commissioner/documents/pfoa-statewide-status-20170110.pdf

•□□□□□□□□ Attached are **3 journal articles on air modeling/deposition** I mentioned that Dr. Guelfo at Brown shared with me (note it was DuPont, not 3M that did the modeling)

•□□□□□□□□ We want to add a summary of state PFAS standards and sampling/analysis requirements to the PFAS workshop. **Please answer the following questions ASAP** – thanks:

o What target analytes must be included when groundwater or drinking water is analyzed for PFAS?

o Which laboratory method must be used?

o Does your state use a standard or guideline that differs from EPA's Health Advisory of 70 ppt?

o How is your health advisory/guideline/standard applied? Are the concentrations of PFAS other than PFOA and PFOS summed for the comparison? If so, which ones?

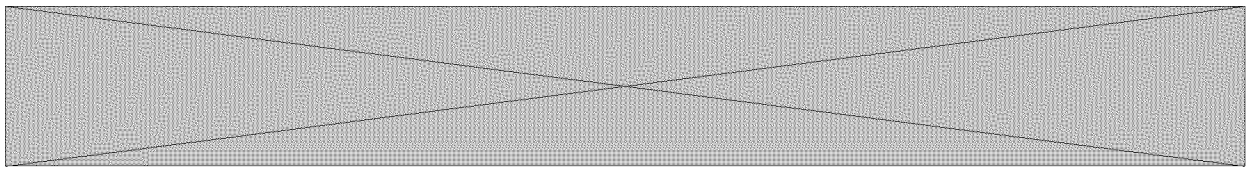
o Does your state have standards or guidelines for soil or other media? If so, please answer the same set of Qs, as applicable

•□□□□□□□□ There is likely to be high demand for seats at the PFAS workshops – therefore I will send the information to this group first (hopefully this week) – staff should register ASAP (and can cancel later if needed). Two weeks after states get the info, I will publicize the workshop to the consulting community.

•□□□□□□□□ Below is a breaking story on DuPont settling lawsuits related to C8 – in case you haven't seen it already…

I think that's it for now.

Jennifer at NEWMOA



BREAKING

8:41 AM

DuPont to pay $670 million to settle C8 lawsuits

DuPont to pay $670 million to settle C8 lawsuits

Monday

Posted Feb 13, 2017 at 8:31 AMUpdated Feb 13, 2017 at 8:31 AM

By Earl Rinehart
The Columbus Dispatch

DuPont and its spinoff company Chemours will pay $670 million to settle a decades-old battle over C8, a chemical it used to make Teflon, and which has been linked to a host of health problems including cancer.

The settlement announced Monday affects more than 3,500 personal-injury claims by residents in Ohio and West Virginia. It also could impact complaints over the use of the chemical elsewhere in the United States and other countries.

The settlement includes $1.6 million that will be paid to each of 270 plaintiffs with cancers, the most serious of six illnesses linked to the chemical.

This week, DuPont was in the middle of defending the fourth lawsuit tried in U.S. District Court in Columbus. The chemical giant lost the previous three trials, with the awards increasing with each verdict. The last jury said the chemical giant owed $10.5 million to a Washington County, Ohio, man with testicular cancer.

DuPont began using C8, also known as perfluorooctanoic acid, at its Washington Works plant south of Parkersburg, West Virginia, in the 1950s. In the 1960s, the company confirmed it was toxic to animals and 10 years later said it had been found in workers' blood.

In 2000, the company reached a settlement with a farmer who said the chemical killed his cattle. That spurred a class-action lawsuit and the involvement of government regulators who ordered DuPont to reduce its air emissions and to reduce the C8 it dumped into the Ohio River.

A study found that, in general, area residents who drank water from wells near the plant had a median level of 38 parts per billion of C8 in their blood - 7.6 times more than the average American. In 2012, a science panel concluded there was a "probable link" existed between C8 and six diseases: kidney cancer, testicular cancer, ulcerative colitis, thyroid disease, pregnancy-induced hypertension and high cholesterol.

The chemical also is "biopersistent," meaning it doesn't biodegrade and remains in a person's blood for decades.

DuPont has argued that it reacted to the problem using the best science of the time, and spent $594 million to address the problem.

Attorneys for the plaintiffs countered that the company has a "staggering" $18.8 billion that can be converted to cash, including $4.5 billion in cash and other sources. The $2 million it paid a claimant in general damages, the company makes in 42 minutes, they said.

DuPont spun off Chemours to take over Teflon productions and other high-interest products at the Washington Works plant. Defense attorneys said it was an attempt to load its lawsuit debt on Chemours and erase that liability when the new company goes bankrupt.

Chemour officials had said that DuPont is responsible for the C8 debt.

Prosecutors in the Netherlands have begun a criminal investigation into possible C8 contamination from a DuPont plant there.

The thousands of C8 lawsuits were consolidated in a "multidistrict litigation" overseen by U.S. Chief District Judge Edmund A. Sargus Jr. at the courthouse in Columbus. Sargus and other federal judges were to begin tackling 270 cancer lawsuits in May.

From: Jennifer Griffith
Sent: Wednesday, February 08, 2017 10:52 AM
Subject: RE: Reminder: PFAS - Next States/EPA Call This Week - Feb 9th

Greetings:

For our discussion tomorrow – here is the draft website for the PFAS Workshop: http://www.newmoa.org/events/event.cfm?m=259 – **please do not forward around** yet - there are still some things to work out on the agenda and presenters to be defined – suggestions on the workshop title? Text? Etc… I hope to have the MA location defined by tomorrow's call…

Jennifer

From: Jennifer Griffith
Sent: Monday, February 06, 2017 1:17 PM
Subject: Reminder: PFAS - Next States/EPA Call This Week - Feb 9th

To: NEWMOA PFAS Working Group

A quick reminder that our **February States/EPA Call is this week on Thursday February 9th from 10:30 – 12:00**. The call-in number is: (513) 386-0000 and the access code is: 379391#. On the call we will discuss:

1- The one-day face-to-face workshop is set for **Monday May 8th in CT, Tuesday May 9th in MA, and Wednesday May 10th in NH** – please let me know ASAP of any problems with these – or mark your calendars! I'll forward more information later today…

2- The PFAS area of the NEWMOA website is up and open to the public: www.newmoa.org/cleanup/projects/pfas.cfm - updates? Changes?

3- NYS DEC amendments affecting use of AFFF (see below) – hopefully someone from NYS DEC can be on the call to elaborate/clarify?

4- States/EPA Roundtable – please share your questions ahead of time if possible

5- Anything else you want to discuss? Please let me know…

Also – FYI - MassDEP has issued draft guidance on sampling for PFAS: http://www.mass.gov/eea/docs/dep/cleanup/draft-guidance-on-sampling-for-pfcs-2017-01-17.pdf

Talk to you Thursday!

Jennifer at NEWMOA

DEC Adopts Amendments to Chemical Bulk Storage Regulations at 6 NYCRR Part 597 – Effective March 3, 2017

On February 1, 2017, the New York State Department of Environmental Conservation (DEC) filed a Notice of Adoption with the New York State Department of State to amend Part 597, Hazardous Substances Identification, Release Prohibition, and Release Reporting, effective March 3, 2017.

The amendments finalized the (1) addition of perfluorooctanoic acid (PFOA-acid,

Chemical Abstracts Service (CAS) No. 335-67-1), ammonium perfluorooctanoate (PFOA-salt, CAS No. 3825-26-1), perfluorooctane sulfonic acid (PFOS-acid, CAS No. 1763-23-1), and perfluorooctane sulfonate (PFOS-salt, CAS No. 2795-39-3) to the list of hazardous substances at 6 NYCRR Section 597.3; (2) allowance for continued use of firefighting foam that may contain PFOA-acid, PFOA-salt, PFOS acid or PFOS-salt to fight fires (but not for training or any other purposes) on or before April 25, 2017 even if such use may result in the release of a reportable quantity (RQ), which is otherwise prohibited; and (3) correction to the list of hazardous substances by providing units for RQs.

The final rule making documents, including the Assessment of Public Comment, are available on DEC's website at http://www.dec.ny.gov/regulations/104968.html

From: Jennifer Griffith
Sent: Thursday, January 19, 2017 1:49 PM
Subject: PFAS: Updates from January 12th call - info on conferences, lawsuits, QA/QC reports...

To: NEWMOA PFAS Working Group

Some information to follow-up from our call last week:

Information about the June 14/15 **Highly Fluorinated Compounds – Social and Scientific Discovery** conference at Northeastern University in Boston

https://www.northeastern.edu/environmentalhealth/2016/12/01/save-the-date-highly-fluorinated-compounds-social-and-scientific-discovery/

Information about the January 31st CA DTSC **Public Workshop on Perfluoroalkyl and Polyfluoroalkyl Substances (PFASs) in Carpets, Rugs, Indoor Upholstered Furniture, and Their Care and Treatment Products** in Sacramento, CA: http://www.dtsc.ca.gov/SCP/PFAS-Workshop.cfm - I believe there is a webinar option?

From CT:

Attached - revised version of the PFAS Drinking Water Action Level support document issued by DPH – includes good background info

From VT:

Attached are two reports recently received from the DEC contractor:

•□□□□□□□□ an Audit of sampling results - the RP's contractor was sampling POETs, our contractor took samples at or about the same time at unknown locations to the RP's contractor to check their results. The results showed good correlation between the two sampling locations with the exception of one influent sampling and that the POETs are removing PFOA from getting into the house

•□□□□□□□□ a Data Quality review letter that shows good data quality results (cross contamination not a significant issue)

From MA:

Article about Cape Cod communities filing lawsuits against 3M
http://www.capecodtimes.com/news/20170110/cape-officials-file-second-lawsuit-against-foam-companies To: NEWMOA PFAS Working Group

From MA OTA:

A potential funding source for water system upgrades?

Water Infrastructure Finance and Innovation Act (WIFIA) **https://www.epa.gov/wifia**

The WIFIA program accelerates investment in our nation's water infrastructure by providing long-term, low-cost supplemental loans for regionally and nationally significant projects - Upcoming conference calls on 2/9 and 3/7

From: Jennifer Griffith
Sent: Thursday, December 15, 2016 4:09 PM
Subject: PFAS: States/EPA - Follow-up from December 8th Call

To: NEWMOA PFAS Working Group

Below is a summary of the information received after the December 8th states/EPA call:

From Vermont:

- Link to report with the Soil Depth Table: https://anrweb.vt.gov/DEC/_DEC/PFOADocs.aspx

- PFOA soil screening value – attached

- Study on background levels - attached

From New Hampshire:

- Attached – the e-mail that went out to consultants and others requesting PFAS sampling – and attached to that, their November 22nd notification letter and sampling guidance

From Nidal at EPA Region 2:

- See below the link to the article about the court decision for PFAS air discharges as disposal of a RCRA solid waste, and it includes links to the actual court decision document. http://www.environmentallawstrategy.com/2015/03/ohio-federal-court-rules-that-duponts-teflon-emissions-are-covered-by-rcra/

- The Boston University Superfund Research Program is holding a conference call:

Please join us on **Tuesday, December 20, 1:00 p.m. ET**, for a free, one-hour call on PFAS health hazards and community responses to contaminated water. The call will cover PFAS exposure and health effects, laboratory measures and challenges to interpretation of contamination and exposure data, and steps that communities should take when PFAS contamination is discovered in drinking water.

Out of the frying pan, into the drinking water: Health hazards and community responses to water contaminated with PFAS

Tuesday, December 20, 1:00 p.m. ET

RSVP today.

Dr. Tom Webster of Boston University School of Public Health, Shaina Kasper of Toxics Action Center, and Dr. Nancy Rothman of New Environmental Horizons, Inc., will speak on the call, moderated by Dr. Wendy Heiger-Bernays of Boston University School of Public Health. This call is hosted by the Boston University Superfund Research Program (BUSRP) and the Collaborative on Health and the Environment (CHE).

I think that's it – please send me anything else to share…

Jennifer Griffith, Project Manager

Northeast Waste Management Officials' Association (NEWMOA)

89 South Street, Suite 600

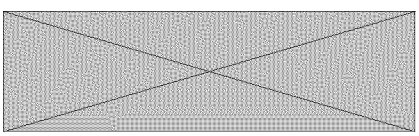
Boston, MA 02111

Ex. 6 - Personal Privacy

TDD/TTY: **Ex. 6 - Personal Privacy**

www.newmoa.org

Follow us from LinkedIn



From: Jennifer Griffith
Sent: Monday, December 05, 2016 10:39 AM
Subject: PFAS: Next States/EPA Call - This Week - December 8th

To: NEWMOA PFAS Working Group

A quick reminder that our **December States/EPA Call is this week on Thursday December 8th from 10:30 – 12:00**. The call-in number is: (513) 386-0000 and the access code is: Ex. 6 - Personal Privacy On the call we will have roundtable, discuss proposed NEWMOA website (see #3 - draft text at bottom of this e-mail) and also discuss planning the one-day face-to-face workshop (see #2 below for a rough draft agenda).

#1 - Follow-up information on PFAS received since the November call

CT: On November 1st, CT DPH announced a Drinking Water Action Level for private wells of 70 ppt for the sum of PFOA, PFOS, PFNA, PFHxS, and PFHpA. Support document is attached [Note: contains an excellent summary table comparing states and the basis of their standards]. Gary Ginsberg at CT DPH is the contact if there are any questions.

NH: PFAS sampling protocol attached

NJ: As we discussed on the November call, NJDEP requested information from facilities potentially using PFAS using several different criteria and resources. This was an initial and limited effort to begin to assess sites. These sites included:

•□□□□□□□□ facilities in the vicinity of public supply wells that had detected PFAS with operations that NJDEP staff found may have used PFAS.

•□□□□□□□□ facilities that reported NAICs #325211 (Plastics Manufacture & Resin Manufacture) & corresponding SIC 2821 (Plastics Materials, Synthetic Resins and Nonvulcanizable Elastomers)

•□□□□□□□□ faculties/Corporations that may have used PFAS in NJ where PFAS contamination has been detected at similar operations in other States.

The standard language of the NJDEP written request is attached.

Attached is the paper NJ referenced in the last call that was recently published regarding North Carolina surface water sources used for drinking water and GenX/replacement compounds detected downstream of a facility .

Also – from Dave Woodward at AECOM
See attached the EPA Health Advisory Clarification Memo and Revised Fact Sheet [that he referred to on the webinar yesterday]. The Fact Sheet was revised via the 2 new paragraphs at the bottom of page 4. This information can also be found at: https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos

#2 Draft agenda for one-day PFAS Technical Workshop for WSC programs and consultants

9:30 Intro/Logistics – Jennifer, NEWMOA

9:45 PFAS Background/Basics/Regulatory Overview – Presenter? Maybe Dr. Guelfo from Brown?

10:45 Networking Break

11:00 Fate & Transport – Presenter(s)?

12:00 Lunch

1:00 Treatment & Remediation – Presenter(s)?

2:00 Networking Break

2:15 State Case Studies/Policy Developments/Etc.

CT/RI (plus MA, NY or NJ?) at CT location

MA/NH (plus NY or NJ?) at MA location

NH/VT (plus MA or NY?) in NH location

ME (plus MA or NH?) at ME location

4:00 End

#3 Draft NEWMOA PFAS webpage – does this meet your needs?

PFOA and PFOS are prefluorooctanoic acid and perfluorooctane sulfonic acid, respectively and belong to the broader class of poly- and perfluoroalkyl substances (PFAS) that have been widely used to make carpet and fabric protection and in food packaging, and have been included in products with the familiar trade names Teflon, Gore-Tex, Stainmaster, and Scotchguard. In addition, PFAS were key components of aqueous film-forming foams (AFFF) widely used for firefighting. Several states in the northeast have sites where drinking water is impacted by PFAS. In response, NEWMOA has undertaken several activities to assist states, including:

- Organizing a states/EPA regional meeting in May 2016
- Holding monthly regional states/EPA information-sharing conference calls
- Developing a five-part webinar training series attended by hundreds of government staff from across the US, along with the consulting community and others (see list below for links to presentations)

NEWMOA is currently organizing one-day technical workshops that will be held in Connecticut, Maine, Massachusetts, and New Hampshire in March and/or April 2017. NEWMOA workshops are open to government officials, the consulting community, academics, and others.

Webinars in the Series:

- An Introduction to PFAS: Frequently Asked Questions
- PFAS Sampling & Analysis
- PFAS Toxicology: Understanding Why the 70 ppt EPA Health Advisory Level is so Low
- Understanding PFAS Fate & Transport
- PFAS Treatment & Remediation Options

For more information, contact Jennifer Griffith at Ex. 6 - Personal Privacy

Talk to you Thursday!

Jennifer Griffith, Project Manager

Northeast Waste Management Officials' Association (NEWMOA)

89 South Street, Suite 600

Boston, MA 02111

Ex. 6 - Personal Privacy

www.newmoa.org

Follow us from LinkedIn