Message

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Subject: OPPT/OPP/OCSPP Clips, 4/30/2019

OPPT/OPP/OCSPP Clips
April 30, 2019

Chemical
Bloomberg Environment: EPA Affirms No Public Health Risk Posed by Glyphosate
Bloomberg Environment: New York Set to Vote on Bills Banning Toxic Toys, Chlorpyrifos
Des Moines Register: EPA reaffirms finding that glyphosate does not cause cancer

Lead
E&E News: EPA announces funds to remove lead, modernize systems

Pesticide
E&E News: EPA ramps up restrictions on Roundup chemical, downplays risk

PFAS
E&E News: Legislation would set PFAS drinking water limit
Inside EPA: EPA Drops Threshold From PFAS Guide, Raising Removal Bar, Critics Say
New Hampshire Public Radio: Kingston Awaits EPA Tests On Potential Public Health Risk From PFAS
Politico Pro: House lawmakers introduce bipartisan bill for PFAS drinking water limit
WSAV: Lawmakers: EPA's PFAS guidelines not strict enough

CHEMICAL

Bloomberg Environment
EPA Affirms No Public Health Risk Posed by Glyphosate
https://news.bloombergenvironment.com/environment-and-energy/epa-affirms-no-public-health-risk-posed-by-glyphosate
Adam Allington
Tuesday, April 30, 2019

- Review comes amid high-profile court cases
- Interim decision proposes new label requirements

The Environmental Protection Agency found that glyphosate poses no risk to public health and is not a carcinogen, as long as it's used in accordance with updated instructions, an interim registration review said.

Glyphosate is the active ingredient found in Bayer AG's Roundup, the most popular herbicide on the market.

"Today's proposed action includes new management measures that will help farmers use glyphosate in the most effective and efficient way possible, including pollinator protections," EPA Administrator Andrew Wheeler said.

"We look forward to input from farmers and other stakeholders to ensure that the draft management measures are workable, realistic, and effective," he said.

A Controversial Review
Glyphosate has been registered as a pesticide in the U.S. since 1974. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), all pesticides must undergo a registration review every 15 years.

EPA's interim decision comes amid a growing pushback from environmental groups who say the science on glyphosate is unclear.

"Unfortunately American consumers cannot trust the EPA assessment of glyphosate's safety," said Nathan Donley, a senior scientist at the Center for Biological Diversity.

"As with past EPA studies, the agency has relied heavily on confidential industry studies that cannot be reviewed by independent scientists and reached an industry-friendly conclusion that is simply not based on the best available science," he said in a statement.

Legal Challenges
But administration officials say glyphosate is an important crop protection tool.

"If we are going to feed 10 billion people by 2050, we are going to need all the tools at our disposal, which includes the use the glyphosate," Secretary of Agriculture Sonny Perdue said in a statement.

"USDA applauds EPA's proposed registration decision as it is science-based and consistent with the findings of other regulatory authorities that glyphosate does not pose a carcinogenic hazard to humans."

EPA's review comes as legal challenges mount against Roundup maker Bayer.

Two California juries have ruled in favor of plaintiffs with non-Hodgkin lymphoma who blamed exposure to the herbicide for their cancer.

Bayer, which bought Monsanto last year, has said it would appeal the decisions.

EPA Says Benefits Outweigh Risks
According to its interim review, EPA concluded that the benefits of using glyphosate "outweigh the potential ecological risks when glyphosate is used in accordance with the label."

In an effort to reduce instances of off-site drift, the EPA is proposing the addition of spray drift management language to product labels. The agency is also recommending that glyphosate makers coordinate closely with growers and researchers to develop programs to slow the spread of herbicide-resistant weeds.

The EPA also proposed adding a "non-target organism advisory statement," to communicate potentially negative impacts to pollinators and other non-target plants.

Once the Federal Register notice is published, the public will have 60 days to submit comments. Once the interim registration review decision is issued, glyphosate makers, called registrants, must then submit amended labels for review within 60 days.

To contact the reporter on this story: Adam Allington in Washington at aallington@bloombergenvironment.com

Bloomberg Environment
New York Set to Vote on Bills Banning Toxic Toys, Chlorpyrifos
https://news.bloombergenvironment.com/environment-and-energy/new-york-set-to-vote-on-bills-banning-toxic-toys-chlorpyrifos
Keshia Clukey
Tuesday, April 30, 2019

- Other bills would create environmental justice zones, mandate water efficiency standards
- Environmental advocates laud package, business groups raise concerns

New York State lawmakers are set to vote on environmental bills that would regulate toxic chemicals in children's products, ban the pesticide chlorpyrifos, and align water efficiency standards with federal guidelines.

The legislation is set to go before both houses today:

- The Child Safe Products Act (A.6296/S.501) would require the state Department of Environmental Conservation to post and periodically review a list of dangerous chemicals or chemicals of concern. Manufacturers would have to disclose whether those chemicals are in their products. The sale of products containing dangerous chemicals such as organohalogen flame retardants, tris and asbestos would be banned as of Jan. 1, 2023.
- Legislation (A.2477/S.5343) would prohibit the aerial application of chlorpyrifos starting Jan. 1, 2020, ban its use except on apple tree trunks by Jan. 1, 2021, and completely ban it as of Dec. 1, 2021. Chlorpyrifos, one of the most common bug killers on the market, has been linked to neurological damage in children.
- Another measure (A.2286/S.354) would align the state's water efficiency standards with those in the U.S. Environmental Protection Agency's 2006 voluntary "WaterSense" program guidelines. Several other states including California and Texas have made the EPA guidelines for water-efficient fixtures mandatory. It would take effect in New York on Jan. 1, 2022.
- Other legislation (A.1779/S.181) would require the state Department of Environmental Conservation to publish a list of "high local environmental impact zones," also known as environmental justice zones—those most adversely affected by environmental hazards. The list, compiled every other year, would aggregate federal and state toxic release and pollution data. The department would consider releases of toxic chemicals and petroleum discharges, pesticides sold and used, and the presence of inactive hazardous waste disposal sites, among other factors.

Business groups have expressed concern with some of the bills, particularly a "Green Amendment," (A.2064, S.2072) that would add citizens' right to "clean air and water, and a healthful environment" to the state's constitution, saying it could lead to increased litigation.

Environmental advocates anticipating the bills' passage applauded the measures, many of which have been in the works for years but failed to make it through the Republican-controlled state Senate.

Democrats took control of the Senate in November for the first time in decades and have since worked with the Democratic majority in the Assembly to pass a number of pending measures.

All of the bills, with the exception of the constitutional amendment, would still require the governor's approval. The constitutional amendment requires a second vote by an independently elected Legislature, which could take place in 2021.

To contact the reporter on this story: Keshia Clukey in Albany, N.Y. at kclukey@bloomberglaw.com

Des Moines Register
EPA reaffirms finding that glyphosate does not cause cancer
https://www.desmoinesregister.com/story/money/agriculture/2019/04/30/epa-glyphosate-does-not-cause-cancer-herbicide-weed-killer-carcinogens-monsanto-roundup-bayer-iowa/3624978002/
Donnelle Eller
Tuesday, April 30, 2019

The U.S. Environmental Protection Agency on Tuesday reaffirmed its finding that glyphosate, the world's most popular herbicide, is not a cancer risk to users.

"There's no evidence that glyphosate causes cancer," said Alexandra Dunn, an EPA assistant administrator for chemical safety and pollution prevention. "There's no risk to public health from the application of glyphosate."

It's the next step in the EPA's process to re-register the herbicide, popular with farmers growing food and with families and businesses killing weeds.

The agency said its scientific findings on human health risk are consistent with the reviews by several other countries and federal agencies.

EPA's review comes as legal challenges mount against Monsanto, the maker of RoundUp, a popular herbicide whose active ingredient is glyphosate.

Two California juries have ruled in favor of men with lymphoma and blamed the herbicide for their disease.

Bayer AG, which bought Monsanto last year, said it would appeal the decisions.

"EPA does not comment on litigation ... but our available scientific data does not support a cause-and-effect relationship between exposure to glyphosate and Parkinson's disease or Non-Hodgkin lymphoma," Dunn said.

In 2015, the International Agency for Research on Cancer classified glyphosate as "probably carcinogenic to humans."

Dunn said EPA's review was deeper than that of the cancer research agency, part of the World Health Organization.

"It's the only agency globally that has connected glyphosate to cancer," she said, calling it an outlier.

Glyphosate is the most widely used herbicide in U.S. agriculture, applied on more than 100 food crops, including glyphosate-resistant corn, soybeans and cotton.

"If we are going to feed 10 billion people by 2050, we are going to need all the tools at our disposal, which includes the use the glyphosate," U.S. Ag Secretary Sonny Perdue said.

Amid concerns about traces of glyphosate showing up in food that children eat, Dunn said EPA found no risk to pregnant women and children.

"We also found no risk to children playing on residential lawn treated with glyphosate," Dunn said. "Any family can purchase it to use on their yards."

Environmental Work Group, among others, have questioned children's exposure to herbicides through breakfast cereal, granola and other food.

"We found no risks or concerns ... at the maximum allowed residue levels on cereals" and other foods, Dunn said.

While EPA did not identify public health risks with glyphosate, it did find risks through its ecological assessment.

The agency proposes changes in use to protect nearby plants that pollinators, birds and other animals eat.

EPA said glyphosate drifting could eliminate food sources for animals, such as milkweed for monarch butterflies.

To address those risks, EPA is proposing management measures to help farmers target pesticide sprays on the intended pest, protect pollinators, and reduce the problem of weeds becoming resistant to glyphosate.

In a separate action, EPA is updating label language for pesticide products for herbicides, collaborating with federal, state and other stakeholders on conservation efforts and increasing outreach on spray drift management and integrated pest management.

Once the Federal Register notice publishes, the public will be able to submit comments on EPA's proposed decision at www.regulations.gov in docket # EPA-HQ-2009-0361.

LEAD

E&E News
EPA announces funds to remove lead, modernize systems
https://www.eenews.net/greenwire/stories/1060246977/search?keyword=epa
Philip Athey
Tuesday, April 30, 2019

EPA announced yesterday that nearly $87 million in grant funding is available to improve the quality of drinking water in schools, tribal lands and other small or disadvantaged communities.

The funding comes in the form of two grants authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act. The 2016 law "addresses, supports and improves America's drinking water infrastructure," according to EPA's website.

"EPA is committed to ensuring all Americans, regardless of their zip code, have access to safe and clean drinking water," EPA Administrator Andrew Wheeler said in a press release.

States, territories and tribal governments will still need to go through an application process to get specific projects approved by EPA. Additionally, the grant stipulates results from funded work must be made publicly available.

The first grant disburses slightly more than $43.7 million to test lead levels of drinking water in schools and child care facilities. Roughly $2.8 million of the funding has been set aside specifically for testing on Native American and Native Alaskan lands.

The second grant will send $42.8 million to small or disadvantaged communities so they can modernize their systems as required by the Safe Drinking Water Act.

Projects using this grant include water treatment as well as in-home water contamination studies, according to EPA.

States using this grant are required to match at least 45% of the total cost of any projects approved. Native American tribes, however, are exempted.

A third grant program from the WIIN Act has not released funding numbers.

PESTICIDE

E&E News
EPA ramps up restrictions on Roundup chemical, downplays risk
https://www.eenews.net/eenewspm/stories/1060247833/search?keyword=epa
Corbin Hiar
Tuesday, April 30, 2019

EPA this afternoon proposed restrictions on the use of glyphosate while downplaying the potential danger the most widely used weedkiller in the United States poses to humans.

The draft EPA decision comes amid a raft of lawsuits against Bayer AG, which last year bought glyphosate maker Monsanto Co. for $63 billion, from cancer patients or their families, who blame the herbicide for their illnesses.

In 2017, EPA determined that glyphosate wasn't a risk to human health but "potential ecological risks were identified for terrestrial and aquatic plants, birds and mammals, primarily from exposure to spray drift," the agency said in a notice for the Federal Register.

The notice's publication will kick off a 60-day comment period on EPA's registration review of glyphosate, a periodic evaluation of pesticides required by law. The agency's draft review reaffirms its determination that glyphosate is safe for humans but would add drift mitigation language to the labels of glyphosate-containing herbicides, like Bayer's Roundup brand.

The instructions would, for instance, direct pesticide applicators to not spray the herbicide from airplanes more than 10 feet above fields or when wind speeds exceed 15 mph. Those measures, and others included in the proposal, would reduce the potential for glyphosate to land on plants or animals that haven't been genetically engineered to withstand it and slow the spread of glyphosate-resistant weeds, EPA argued.

"Today's proposed action includes new management measures that will help farmers use glyphosate in the most effective and efficient way possible, including pollinator protections," EPA Administrator Andrew Wheeler said in a statement. "We look forward to input from farmers and other stakeholders to ensure that the draft management measures are workable, realistic, and effective."

Agriculture Secretary Sonny Perdue applauded EPA's proposal.

"It is science-based and consistent with the findings of other regulatory authorities that glyphosate does not pose a carcinogenic hazard to humans," he said in the same statement.

Glyphosate is used on more than 100 food crops, including genetically engineered corn, soybean, cotton, canola and sugar beets. It is also used by homeowners and public land managers to kill weeds in aquatic areas, forests and rights of way.

In today's proposal, EPA also said it is continuing to work with other federal agencies on studies of the impact of glyphosate on more than a thousand federally protected species and of the herbicide's effects on the human endocrine system. Those studies will be completed before finishing the glyphosate registration review, EPA vowed.

Bayer recently lost the second of two bellwether jury trials brought by cancer patients who blame glyphosate for their illnesses, making a multibillion-dollar settlement with other litigants more likely (Greenwire, March 28).

PFAS

E&E News
Legislation would set PFAS drinking water limit
https://www.eenews.net/eenewspm/stories/1060247803/search?keyword=epa
Ariana Figueroa and George Cahlink
Tuesday, April 30, 2019

A group of lawmakers is pushing bipartisan legislation to require EPA to set enforceable standards for toxic chemicals in drinking water.

Those chemicals are per- and polyfluoroalkyl substances, known as PFAS, which are found in nonstick household products, shoes and military firefighting foam.

The bill, H.R. 2377, sponsored by Rep. Brendan Boyle (D-Pa.), follows a slew of legislation seeking to address PFAS — from funding research to providing medical resources for people exposed.

Co-sponsor Dan Kildee (D-Mich.), who has been deeply active on the issue, said he and House Speaker Nancy Pelosi (D-Calif.) have talked about possibly including the bill in a spending package.

"I don't discount the possibility of being able to move this and some other PFAS legislation," Kildee said, adding that he's "talked to the speaker about it and she's very open to it."

Kildee said he's hoping to get some type of PFAS legislation passed this year, but for now he's focusing on increasing the amount of money allocated for cleaning up areas where PFAS is found in drinking water.

"President Trump's Environmental Protection Agency is entrusted with keeping our drinking water safe but has delayed protecting our families from toxic PFAS chemicals in drinking water," Kildee said in a statement. "We know that PFAS chemicals are harmful to human health and families deserve safe water from their taps."

Other co-sponsors include Rep. Frank Pallone (D-N.J.), who chairs the Energy and Commerce Committee; Rep. Paul Tonko (D-N.Y.), who chairs the Environment Subcommittee; and Rep. Brian Fitzpatrick (R-Pa.).

People in Fitzpatrick's district are having to "take drastic action" to reduce their exposure to two of the best-known PFAS — PFOA and PFOS — the lawmaker said in a statement today.

"PFAS chemical contamination is a public health crisis and the EPA must act with an urgency that matches the scale of the problem," Fitzpatrick said. "If the EPA won't act, then Congress must take action to protect American communities from these dangerous chemicals."

Other PFAS legislation includes designating the chemical as a hazardous substance and establishing a registry for people exposed to PFAS because of their proximity to a military base.

A Government Accountability Office report found the Defense Department "identified 401 active or closed military installations with known or suspected releases of PFOS or PFOA."

The only PFAS bill without bipartisan support — S. 1023 and its companion H.R. 2102 — would provide hospital care and medical services to veterans and their dependents who were stationed at a military base where they were exposed to PFAS.

Inside EPA
EPA Drops Threshold From PFAS Guide, Raising Removal Bar, Critics Say
https://insideepa.com/daily-news/epa-drops-threshold-pfas-guide-raising-removal-bar-critics-say
Suzanne Yohannan
Tuesday, April 30, 2019

The White House's decision to drop from EPA's groundwater cleanup guide for per- and polyfluoroalkyl substances (PFAS) a default threshold above which regulators could order removals is sparking charges that regulators may not pursue some cleanups because they will be harder to justify though EPA says the limit was dropped to avoid confusion.

The elimination of a removal action threshold is a "big loss" because it is now not clear if EPA will take an emergency removal action to respond to groundwater contamination, says Betsy Southerland, a former EPA Superfund and water office official now with the Environmental Protection Network (EPN), a group of more than 400 former agency officials who advocate for EPA's environmental protection mission.

"Without an emergency removal action level, the public does not know at what concentration EPA will step in to take action to protect people from contamination without waiting for a responsible party to be identified and required to . . . address the contamination," she says in a statement issued by EPN when the guidance was released.

While EPA could still take removal actions, even without a threshold level, the agency would have to justify such an action on a site-specific basis, according to Southerland. The onus would be on EPA to justify why it is taking a removal action, she says. Further, such a justification can be risky for EPA, as, unlike a threshold level, it has not been through notice and comment, Southerland adds.

At issue is EPA's April 25 draft interim guidance aimed at addressing groundwater contaminated with perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). The document of draft recommendations had been tied up at the White House Office of Management & Budget (OMB) in inter-agency review since August, where the Defense Department (DOD) and other federal agencies had reportedly pressed for weaker remedial and removal action threshold levels than what EPA had sought.

The document that EPA released includes the 70 parts per trillion (ppt) preliminary remediation goal (PRG) that EPA had sought to "inform" final cleanup levels in cases where groundwater is being used as a source of drinking water.

The agency also appears to have overcome efforts by DOD to drop a 40 ppt screening level.

But the document is drawing criticism because it dropped language from the original draft that would have triggered an EPA removal action if the contaminant levels in groundwater reached 400 ppt. Removal actions are generally limited to one-year durations and $2 million of the EPA's Superfund monies, although exceptions are allowed, according to EPA. Removals are often used at Superfund sites "when the contamination poses an immediate threat to human health and the environment," EPA's website says.

The document is also drawing criticism for inconsistencies throughout it on whether that same PRG level applies if the groundwater is merely a "potential" source of drinking water.

DOD, the National Aeronautics and Space Administration and Small Business Administration urged for an emergency removal action level of 1,200 ppt, rather than the 400 ppt EPA was recommending, according to a recent letter Sen. Tom Carper (D-DE) sent to EPA Administrator Andrew Wheeler.

Responsible Parties

But EPA is defending its decision to cut the removal management level (RML) -- which had comprised several paragraphs in the original document. The agency's congressional affairs office, responding in an email to Carper's office says including the RML "was causing confusion instead of providing clarity," according to a copy of the email.

EPA says it cut the RML from the guidance in order to ensure that responsible parties "are clear that EPA expects that they will address contaminated groundwater with PFOA and PFOS above 70 ppt." It says the guidance "now clearly states" that where groundwater is used for drinking water, the agency "expects that responsible parties will address levels of PFOA and/or PFOS over 70 ppt."

The email says the agency will also, where appropriate, use tools such as Safe Drinking Water Act section 1431 orders, to respond to an imminent danger to public health.

The original document, which can now be seen in a redlined version OMB released in the regulatory docket, could have allowed for removal actions beyond just the narrow window of those where groundwater is being used as a source of drinking water.

Rather, the original document contained a full explanation of why removal actions may be triggered, including a reference to the National Contingency Plan (NCP) -- the regulatory blueprint for Superfund actions -- which says "'actual or potential contamination of drinking water supplies or sensitive ecosystems' is one factor to consider in determining the appropriateness of a removal action."

It goes on to say, "On a case-specific basis, EPA may need to take action because of combinations of chemicals, chemical-specific factors, unusual site-specific circumstances, the finding of a public health hazard by the Agency for Toxic Substances and Disease Registry (ATSDR), ecological risk, or other case-specific considerations."

And at sites not on Superfund's National Priorities List and which lacked a viable potentially responsible party, EPA would have worked with states, tribes and local governments using their authorities to address levels of the two PFAS between 70 ppt and 400 ppt, the original version says.

While Southerland says if the draft becomes final, EPA could enforce the 70 ppt remedial cleanup level against private parties responsible for contamination, she questions DOD's commitment to complying with the guidance. She finds it odd that in the guidance EPA says it expects responsible parties will address PFOA/PFOS levels over 70 ppt in groundwater being used as drinking water, but does not define responsible parties to say DOD is included in that term.

She also notes that Acting Defense Secretary Patrick Shanahan earlier this month defended DOD's support for a risk cleanup level of 380 ppt, saying that level is based on the risk-based process EPA endorses under the Comprehensive Environmental Response, Compensation & Liability Act.

But Southerland says DOD arrived at the 380 ppt level using EPA's reference dose calculated in 2016 assuming that people drinking the water are being exposed to PFAS only in drinking water, and not through any other source, such as through carpets, food packaging, cookware and other products containing the chemicals.

In contrast, EPA generally assumes as a default a 20 percent exposure from drinking water, and 80 percent from other sources -- deemed its relative source contribution, according to Southerland.

When asked if DOD plans to comply with the guidance, DOD spokeswoman Heather Babb said in a written statement that the department "support[s] the public comment process and look[s] forward to working with EPA to implement the final guidance document."

In addition, EPA's deference in the guidance to state standards for groundwater cleanup is simply stating how the law already works, says one environmental group attorney. EPA in the guidance defers to state standards, if they exist, for groundwater cleanups, but recommends using the 70 ppt groundwater level for PFOA and PFOS, combined, as a backstop if no state standards exist. The source believes DOD will continue to make its sovereign immunity arguments that state groundwater levels are not applicable as it fights orders in Michigan and New Mexico, the source says.

Southerland says that while some states have groundwater requirements, many times these are not legally enforceable. The standard has to be enforceable against all parties, not just DOD, she adds. Further, the basis for a groundwater standard has to be that it is for protecting a drinking water source, she says

New Hampshire Public Radio
Kingston Awaits EPA Tests On Potential Public Health Risk From PFAS
https://www.nhpr.org/post/kingston-awaits-epa-tests-potential-public-health-risk-pfas#stream/0
Annie Ropeik
Tuesday, April 30, 2019

Officials in Kingston say they'll wait for more data before taking action on potential water contamination around a long-dormant Superfund site.

The Ottati and Goss Superfund site, off Route 125 near the Newton town line, is surrounded by campgrounds, homes, businesses and a popular swimming and fishing area, Country Pond.

Between the 1950s and 1980s, the site housed a business that cleaned chemicals out of steel drums and sold the drums for reuse.

That process contaminated soil, sediment, groundwater and surface water at the site with a range of chemicals, including cyanide, pesticides and PCBs. Cleanup for the initial contaminants was extensive and ended years ago.

But in the past few years, the Environmental Protection Agency has begun testing Superfund sites for PFAS chemicals.

These industrial chemicals, used for decades in a plethora of consumer goods and commonly-used firefighting foams, have been linked to serious health effects, including some cancers.

In late 2018, during a routine review, the EPA says the chemicals turned up in monitoring wells at the Kingston site at levels up to 5,600 parts per trillion.

The state groundwater cleanup standard for PFAS is 70 parts per trillion. Some federal research suggests the chemicals may pose health risks at even lower levels.

At a selectmen's meeting with a few concerned neighbors Monday night, EPA project manager Jim Brown said the contamination in the monitoring wells is "undeniably" coming from the Superfund site.

He also said the contaminated groundwater generally appears to be flowing in the direction of Country Pond, the swimming and fishing area. But he says, over the years of monitoring, the EPA has not found that other contaminants migrated from the site into drinking water wells.

However, the contamination that existed at the site before remediation did appear to migrate into Country Pond. The EPA's original 1987 Record of Decision for the site, dictating the terms and method of clean-up, says pollution in the 1970s appeared to lead to "fish kills in Country Pond, dying vegetation along [adjacent] South Brook, and skin irritation of swimmers in Country Pond."

Brown says the EPA doesn't yet have the data to confirm whether PFAS from the site poses a public health risk, and he appeared to downplay the high levels of PFAS that were found.

Maps show the location of the Ottati and Goss Superfund site and PFAS sampling data from late 2018. Red and purple markers indicate extremely high levels of contamination on either side of Route 125.
CREDIT ANNIE ROPEIK / NHPR
"The PFAS levels that we're talking about, in the PFAS world, are high," Brown said. "But [5,000 parts per trillion] is 5 parts per billion. For most of our contaminants of concern at this site, 5 parts per billion is the goal."

In the coming weeks, he says, state and federal officials will test adjacent drinking water wells – and surface waters in and near the swimming pond – to see if the PFAS does pose a threat. Results of those tests will be out in late May or early June.

"Depending on the results that we get back in June, we might have to expand the sampling effort to an even bigger area," Brown said.

Brown called Country Pond a "bonafide swimming exposure scenario" and said the EPA would notify the town immediately if any "significant" contamination is found in the upcoming tests.

Selectmen say they'll wait on that notification or for final test results before considering any new restrictions on swimming or fishing at the pond.

And state officials said they will immediately provide bottled water if any residents are found to have unsafe levels of PFAS in their drinking water wells.

The EPA is due to transfer control of the aging Superfund site to the state this fall. The businesses that contaminated the site settled their liabilities there years ago, and the state also now owns the property.

The town of Kingston declined to buy the site years ago – out of concern, selectmen said Monday, that new contamination would someday turn up.

"It just seems like what was a great success story seems to be a never-ending saga that we're going to have to deal with," said selectman Kevin St. James at Monday's meeting.

Brown, with the EPA, said the site could still end up a "success story."

He added that this is the first Superfund site he knows of where PFAS contamination has emerged in the midst of a transfer process to the state.

Politico Pro
House lawmakers introduce bipartisan bill for PFAS drinking water limit
https://subscriber.politicopro.com/article/2019/04/house-lawmakers-introduce-bipartisan-bill-for-pfas-drinking-water-limit-3167723
Annie Snider
Tuesday, April 30, 2019

Five House lawmakers have introduced a bipartisan bill that would require the EPA to swiftly set a drinking water limit for all toxic PFAS chemicals.

The "Protect Drinking Water from PFAS Act," H.R. 2377 (116), would require EPA to set an enforceable drinking water limit within two years for the entire class of chemicals.

None of the thousands of chemicals in the class are currently regulated in drinking water, although EPA has said it will decide by the end of the year whether a limit is needed for the two best-studied PFAS types, PFOA and PFOS. Experts say that the process of actually setting a limit, if EPA decides to, will likely take years.

"Public health is at stake while the EPA continues to dither and delay setting enforceable limits on these chemicals," said Rep. Brendan Boyle (D-Pa.), the bill's sponsor. "This is unacceptable. The more we look, the more contamination we find. The more we wait, the more we learn about the seriousness of these contaminants. No American should question the safety of their water – period."

The bill was co-sponsored by House Energy and Commerce Chairman Frank Pallone (D-N.J.) and Reps. Dan Kildee (D-Mich.), Paul Tonko (D-N.Y.) and Brian Fitzpatrick (R-Pa.).

WSAV
Lawmakers: EPA's PFAS guidelines not strict enough
https://www.wsav.com/news/washington-dc/lawmakers-epa-s-pfas-guidelines-not-strict-enough/1964431262
Raquel Martin
Tuesday, April 30, 2019

WASHINGTON (NEXSTAR) — Members of Congress are slamming the U.S. Environmental Protection Agency's latest plan to clean up more than 400 PFAS contamination sites across the country.

Critics say the plan, a draft of which has been published online, weakens standards for ground and drinking water quality and lets the Department of Defense off the hook for remediation.

"We're very concerned that the EPA isn't moving as quickly as they can," Melanie Benesh of the Environmental Working Group said. "The level that the EPA has proposed isn't adequate to protect public health. ... It means people are going to continue to be exposed. They may continue to be drinking dirty water and we think that's unacceptable."

The PFAS class of chemicals has been linked to certain types of cancer and other illnesses, including problems during pregnancy. The highest levels of PFAS have been discovered around military bases, where the chemical is used in firefighting foam.

The new EPA rules are a victory for the Department of Defense, which had been facing billions in immediate cleanup costs.

"I think this EPA has shown it's not willing to do what's got to be done," Rep. Debbie Dingell, a Democrat from Michigan who sits on the bipartisan PFAS task force.

She said she and others will continue to press for stricter rules.

"The military, the Pentagon are also going to have to have responsibility whether they like it or not," she said.

The proposed guidelines are open for 45 days of public comment. Lawmakers are planning additional hearings for the coming weeks.

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