Message

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Subject: OCSPP News for July 15, 2021

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- The Hill 07/14; Time for EPA to come clean on PFAS

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US EPA round-up
NA, Chemical Watch
https://chemicalwatch.com/299789/us-epa-round-up

EPA consults on petition to cancel flea collar registration
The US EPA has opened a public consultation on a legal petition that urges it to cancel the Federal Insecticide, Fungicide, and Rodenticide Act (Fifra) registration of a flea and tick collar.

The Seresto collars contain the biocidal active substances imidacloprid and flumethrin. The former is a neonicotinoid pesticide widely linked to declines of pollinator populations. The latter is a pyrethroid that has been associated with health impacts on dogs, cats and humans.

The petition, filed by the Center for Biological Diversity (CBD) in April, claims the collars are linked to the deaths of nearly 1,700 pets. Since the product was introduced in 2012, the EPA has received more than 75,000 complaints linking the flea collar to incidents, according to the CBD. These incidents "pose unreasonable adverse effects under Fifra", it says.

The EPA is accepting comments on the petition until 10 September.

EPA publishes May 'not likely' findings
The agency has published in the Federal Register a 'statement of findings' notice that summarises TSCA new substance reviews completed in May for which it determined the chemicals are unlikely to pose an unreasonable risk.

The EPA did not issue any TSCA section 5(a)(3)(C) findings for pre-manufacture notice (PMN) reviews completed during this timeframe. It issued a single 'not likely' finding for a microbial commercial activity notice (MCAN).

EPA chemicals office tries to fight scientific misconduct
Kelsey Brugger, E&E News
https://subscriber.politicopro.com/article/eenews/2021/07/15/epa-chemicals-office-tries-to-fight-scientific-misconduct-179971

Greenwire | EPA's chemicals office is holding a training today to combat scientific misconduct, after more than half of its employees in its risk management division said they feared retaliation for disclosing suspected violations.

The "differing scientific opinions" training intends to be a "robust exchange of views about science," according to an email to staff from Assistant Administrator Michal Freedhoff that was shared with E&E News.

"Be assured that your [Office of Chemical Safety and Pollution Prevention] senior leadership team is committed to scientific integrity, the importance of robust scientific debate, and the importance of an environment where staff and managers identify errors, ask questions, and express differing scientific opinions."

The email says other program offices will follow suit with training, and that the agency is hiring an "outside vendor" to help strengthen its policies.

An EPA spokesperson added that the agency wants to "better understand the challenges OCSPP employees may be facing while doing their jobs."

"We want people to share what's on their minds," the spokesperson wrote in an email. "We will engage a neutral and

independent group who is skilled in conducting these types of assessments." The spokesperson declined to say who that group would be.

The internal email comes soon after scientists in the chemicals spoke out against what they said amounted to political meddling in key assessments programs.

In a recent letter to Rep. Ro Khanna (D-Calif.), who chairs the House Oversight Subcommitte on Environment, the watchdog group Public Employees for Environmental Responsibility said four scientist reported that midlevel managers made major changes to risk assessments (Greenwire, July 2).

Questions also emerged about the agency's protocols on employees talking to reporters. While EPA Administrator Michael Regan had publicly committed to operating in a "fishbowl," officials in the chemical's office told staff they were not permitted to talk to the press without permission, according to emails obtained by PEER.

In addition, the Federal Employee Viewpoint Survey earlier this year found high levels of no confidence in the office, with 60% of respondents expressing negative views of senior leadership honesty and integrity standards.

"There has been a bunch of stuff in the chemicals office," said Lauren Kurtz, executive director of the Climate Science Legal Defense Fund, adding, "The publicly reported stuff is only the tiniest slice of what has happened."

Kurtz's organization teamed up with Columbia Law's Sabin Center to create a tracker for government employees to share concerns, hoping to capture people who might not want to log an official complaint.

The issue of political meddling in science took center stage during the Trump administration after officials worried about contradicting the former president's erroneous forecast about Hurricane Dorian. The incident became known as "sharpiegate." But experts say the issue long predates the Trump years.

The Biden administration has taken notice. In June, the White House Office of Science and Technology Policy convened a task force and requested public input on scientific integrity policies. The public comment period closes July 28. Yesterday, OSTP announced there will be three listening sessions at the end of the month on the topic.

Still, some science advocates claim the new administration is moving too slowly and worry about an over-reliance on outside contractors.

"We have to make sure this process is right, and we have to make sure the senior leadership has those frank discussions directly within their offices because those scientists don't trust midlevel managers," said Tim Whitehouse, executive director at PEER.

In general, he thought Freedhoff was taking the right steps but "the devil is in the details." "Those discussions need to happen directly between the political leadership and the scientists in those offices," he said. [...]

Regan Continues To Weigh EPA Authority To Consider Cumulative Impacts
Dawn Reeves, Inside EPA
https://insideepa.com/daily-news/regan-continues-weigh-epa-authority-consider-cumulative-impacts

Administrator Michael Regan says he is continuing to work to bolster EPA's authority to address the cumulative impacts of pollution releases, a step advocates say is needed to limit harms to overburdened communities, including by asking agency lawyers to determine whether the agency can interpret regulations "in a different way" in order to do so.

In addition to discussing the issue with the Office of General Counsel, Regan says he is having "conversations with the House and Senate about potential legislative changes we need to see to give us clear authority to evaluate cumulative

impacts" in the way communities are asking the agency to do.

Regan's remarks, at a July 14 meeting of the Environmental Council of the States (ECOS), came in response to a question by Bruno Pigott, commissioner of the Indiana Department of Environmental Management (IDEM), who asked how states should "go about evaluating undue burdens as we go forward with permitting in areas that have been unduly burdened."

Addressing cumulative impacts from multiple pollution sources can be complicated legally and scientifically. But it is emerging as a key priority for Democrats and the Biden administration as they work to prioritize protections for environmental justice communities, which can be exposed to a host of chemicals and pollutants in multiple environmental media and from a range of different sources, such as commercial, industrial or agricultural facilities, road traffic and transportation hubs.

Those factors often overlap with the adverse effects of poverty, racism and other social and economic factors, such as limited health care access, poor quality schools, violence and substandard housing, leading to a complex challenge for regulators tasked with protecting residents of those communities from environmental and other harms.

In particular, efforts to evaluate and regulate complex environmental hazards have been stymied by the "stovepiping" of environmental statutes and the EPA programs they authorize into media-specific silos -- in addition to the isolation of federal statutes and agencies' inability to address broader enforcement and permitting issues.

Regan's new comments generally echo what the administrator said in April, when he told House lawmakers that he was holding "conversations" with EPA officials on whether the agency has the tools and authorities needed to adequately address cumulative exposures to toxic chemicals and other forms of pollution.

"I'm in conversations right now with my general counsel and . . . the experts here at the agency to determine if we have all the tools we need to adequately address cumulative . . . impacts, or do we need more assistance from Congress. And we look forward to partner with you on answering that question," he told Rep. Donald McEachin (D-VA) at an April 29 hearing on the agency's fiscal year 2022 budget request before the House Energy & Commerce Committee's environmental subpanel.

IDEM's Pigott also referenced a May 7 letter Regan sent to Chicago Mayor Lori Lightfoot taking the rare step of asking the city to suspend review of a permit application to expand a metal recycling plant on the city's Southeast side and conduct a cumulative impact analysis to assess its effect on nearby residents.

In response, Chicago agreed to suspend the permit review and initiate the cumulative impact study and emphasized the city's commitment to environmental justice.

Starting Point
Regan told ECOS that the starting point for conducting a cumulative impact analysis is "building on tools we have" such as EJ SCREEN, an environmental justice screening tool the administration will seek to improve, as well as leveraging resources EPA received through the American Rescue Plan, which includes $50 million for additional air quality monitoring and $50 million to "think creatively" about projects and programs on the ground and their impacts on environmental justice communities, Regan said.

"We've got some resources [...]

EPA Ordered to Take Another Look at Methylene Chloride Risks
Sylvia Carignan, Bloomberg Law
https://news.bloombergiaw.com/environment-and-energy/epa-ordered-to-take-another-look-at-methylene-chloride-risks?context=search&index=0

The EPA must reconsider parts of its risk evaluation for methylene chloride that New York and other states and environmentalists challenged in court, and provide regular updates on its progress, the Ninth Circuit said in an order.

Ten states' attorneys general, together with several environmental groups, challenged the Environmental Protection Agency's determination that certain conditions of use of methylene chloride don't present an unreasonable risk of injury to human health or the environment.

The U.S. Court of Appeals for the Ninth Circuit granted the agency's request to remand the determinations without vacatur Wednesday.

The agency must file a status report on its proceedings within 90 days, and every 90 days after that, the court said.

The Biden administration announced in June it would revisit whether eight chemicals, including methylene chloride, pose greater risks to workers and the public than the Trump administration determined.

Neighbors for Environmental Justice, the New Jersey Work Environment Council, and the Sierra Club said the agency ignored potential releases of methylene chloride into air, water, and soil, which could result in humans being exposed to the chemical.

The EPA's determination didn't adequately consider communities near industrial and commercial sites that release the chemical into the air, or people who are genetically predisposed to develop cancer after exposure, the petitioners said in their brief.

In their own petition, several states—New York, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, New Jersey, Oregon, and Rhode Island—along with New York City and the District of Columbia said the EPA "substantially understated" the risks of methylene chloride.

The EPA violated its "clear mandate" under the Toxic Substances Control Act "to evaluate the risks of a chemical substance comprehensively and holistically," the states said in their brief.

Both groups of petitioners said the EPA failed to consider the chemical's risks to particularly susceptible and vulnerable populations.

Lake County's congressional reps ask EPA to tighten regulation of EtO emissions

Steve Sadin, Chicago Tribune

https://www.chicagotribune.com/suburbs/lake-county-news-sun/ct-lns-eto-letter-st-0716-20210715-jbtsk3f3t5ffnbj4nslmeaj3la-story.html

As a new administrator takes charge of the U.S. Environmental Protection Agency, members of Congress representing Lake County want to see increased scrutiny over the emissions of ethylene oxide (EtO), a known carcinogen.

Reps. Brad Schneider, D-Deerfield, Sean Casten, D-Downers Grove, and Lauren Underwood, D-Naperville, are among eight members of Congress who sent a letter to new EPA Administrator Michael S. Regan on July 1 urging him to issue consistent regulations protecting against EtO.

Underwood, Casten and Schneider are part of a nine-member bipartisan Congressional Ethylene Oxide Task Force consisting of representatives from communities impacted by EtO emissions, such as those which come from a plant in Waukegan and another in Gurnee.

"We have been working on this for a while," Schneider, who co-chairs the task force with Rep. Jody Hice, R-Ga., said in

an interview Tuesday. "It is very important. EtO is a proven carcinogen and we have to take the opportunity to stop its emission every chance we have."

Inconsistency arose in the regulation of EtO when the EPA funded ambient air monitoring in 2018 at a Sterigenics plant in Willowbrook emitting the chemical. It failed to do the same at a Medline factory in Waukegan and a Vantage Specialty Chemicals plant in Gurnee, according to the letter.

"We have been calling on the EPA to exercise the same due diligence in the communities we represent and to keep public health at the forefront of the agency's EtO rulemaking," the members of Congress wrote.

Casten said in an email Tuesday he spent much of his time when first elected to Congress in 2018 fighting lax environmental policies of the administration of former President Donald Trump. Casten hopes Regan, who began leading the EPA in March, will take a stronger approach.

"Public health must be at the forefront of the EPA's decision making, period, so the news that the Trump EPA withheld information from us — and more importantly from the public — raises gravely serious concerns," Casten said.

EtO emissions from the Medline and Vantage plants showed similar levels to those at the Sterigenics facility in Willowbrook, according to a 2018 Chicago Tribune story.

Underwood said she sees nothing complicated seeking regulations of dangerous substances being emitted into the air. She said she has made it a priority since she was elected to Congress in 2018. Promises were made by federal officials for clean air in Lake County and she wants them kept.

"It's simple," Underwood said in an email. "Americans should have clean and safe air to breathe. But Ethylene Oxide emissions remain a threat to public health in my community and too many others."

While a spokesperson for Deerfield-based Vantage declined to comment, Jesse Greenberg, Medline's public affairs director, said in an email Illinois imposed the most stringent EtO restrictions in the country with 2019 legislation. The company has complied.

"We are proud that today Medline's Waukegan facility has the most advanced emissions control system in the nation, and all our emissions data is submitted to the Illinois Environmental Protection Agency and is publicly available," Greenberg said in the email.

In their letter to the EPA, the representatives said they want to work with the agency as a resource to help establish consistent regulations. They requested a meeting between Regan and the task force.

Public health must be the top priority when regulations are written controlling EtO, the members said in their letter, because the "EPA has a responsibility to assure communities affected by industrial EtO use that the air they breathe is safe."

Ambient air monitoring, not computer modeling must be used to measure the EtO level in the air around manufacturing facilities which use the chemical, according to the letter, because it is the only way to accurately determine EtO levels in a community.

Community engagement is another recommendation to the EPA from the task force, [...]

OIG Opens 'Inquiry' Into TSCA Risk Assessments Based On Staff Complaint
Maria Hegstad, Inside TSCA
https://insideepa.com/tsca-news/oig-opens-inquiry-tsca-risk-assessments-based-staff-complaint

EPA's Office of Inspector General (OIG) is launching a new inquiry into TSCA risk assessment practices that will focus on new-chemicals reviews, prompted by a hotline complaint the office says is similar to recent claims by four career scientists that the program has been plagued by "fraud and corruption" intended to ease chemical risk findings.

In a July 14 memo, Inspector General Sean O'Donnell announced OIG "is initiating an inquiry into a hotline complaint regarding chemical risk assessments conducted under the Toxic Substances Control Act, or TSCA, including Per- and polyfluoroalkyl substances, commonly known as PFAS."

While O'Donnell's memo does not say whether the hotline call is connected to four staffers' public allegations of misconduct at the new-chemicals program, including a formal complaint where they are being represented by the whistleblower group Public Employees for Environmental Responsibility (PEER), an OIG spokesman tells Inside TSCA that allegations in the hotline complaint are "similar" to those claims.

According to the spokesman, the "focus of the review will be on new chemical assessment. The OIG's preliminary inquiry is related to a hotline complaint which is similar to the issues covered in the recent PEER complaint to Congress."

And PEER official Kyla Bennett, who is working with the four staffers, tells Inside TSCA of the OIG announcement, "[t]his sounds like our stuff. But it's a hotline complaint." While the PEER complaint sought an OIG investigation of the new-chemicals program, it was not delivered through the hotline, Bennett says.

But she says other staffers have already come to PEER with claims similar to what the four staffers alleged, suggesting one of those may have called the hotline. "I do know that other people are coming forward. Our clients going forward has helped others decide to come forward as well. We've been approached by others," Bennett says.

A PEER letter summarizing the whistleblowers' claims, which went to OIG and the House Oversight & Reform Committee's environment panel on June 28, said its goal was an OIG review of the alleged misconduct, and urged Rep. Ro Khanna (D-CA), chairman of the oversight subcommittee, to "ensure" that review happens.

O'Donnell's memo adds that OIG's "inquiry will include interviews, data gathering, and analysis of issues, such as adherence to policies and procedures for chemical risk assessments, oversight by EPA management of chemical risk assessments, and resulting information and reports regarding the assessments of such chemicals. We may contact officials and managers within the Office of Chemical Safety and Pollution Prevention [OCSPP] and across the EPA's offices, programs, laboratories, and work locations."

The OIG's announcement is addressed to an array of top EPA officials, including Deputy Administrator Janet McCabe; the administrator's chief of staff, Dan Utech; Michal Freedhoff, assistant administrator of OCSPP; Jennifer Orme-Zavaleta, the acting assistant administrator of EPA's research office; and Lindsay Hamilton, associate administrator for public affairs; as well as numerous career officials.

Staffers' Complaint

In both their complete whistleblower complaint, which Inside TSCA has reviewed, and an exclusive July 2 interview, the whistleblowers alleged that managers at the TSCA new-chemicals review program made inappropriate and sometimes factually incorrect changes to their analyses of potential human health risks.

Among other claims, the staffers allege that supervisors directed unscientific use of a study conducted on fish to predict the effects of inhaling a particular substance, overrode a staffer's choice of a chemical analogue used to estimate safe exposure levels for a new PFAS, and discouraged staff from seeking more data from industry.

"They have disclosed disturbing evidence of fraud and corruption in OCSPP, involving deliberate tampering with chemical risk assessments conducted under [TSCA], [...]

Johnson & Johnson Recalls Sunscreen Because of Benzene Traces
Jesus Jiménez, The New York Times
https://www.nytimes.com/2021/07/14/us/johnson-johnson-sunscreen-recall-aveeno-neutrogena.html

Johnson & Johnson issued a voluntary recall on Wednesday for five of its sunscreen sprays after testing found low levels of benzene, a carcinogen, in the products. Consumers were told to stop using the products and throw them out.

The recall included four Neutrogena aerosol sprays — Beach Defense, Cool Dry Sport, Invisible Daily and Ultra Sheer — and the Aveeno Protect + Refresh spray.

"Out of an abundance of caution, we are recalling all lots of these specific aerosol sunscreen products," the company said in a statement on Wednesday. "While benzene is not an ingredient in any of oursunscreen products, it was detected in some samples of the impacted aerosol sunscreen finished products."

The company said it was still investigating why there were traces of benzene.

Based on exposure modeling and Environmental Protection Agency guidance, Johnson & Johnson determined that "daily exposure to benzene in these aerosol sunscreen products at the levels detected in our testing would not be expected to cause adverse health consequences."

Benzene is a carcinogen, which can cause cancers, according to the Centers for Disease Control and Prevention. The highly flammable chemical, which is colorless or slightly yellow, is regularly found throughout the United States in products such as gasoline, plastics, detergents, pesticides, drugs, nylon and synthetic fibers, according to the C.D.C. Cigarette smoke and forest fires are also sources of the carcinogen.

Low levels of benzene are also found in outdoor air, from gas stations, motor vehicle exhaust and industrial emissions, according to the C.D.C.

Benzene, which causes cells in the body not to work properly, can cause anemia or loss of white blood cells, according to the C.D.C. Long-term exposure — which the C.D.C. defines as a year or more — to significant amounts of benzene can cause leukemia or excessive bleeding.

The sprays in question were sold at retail stores across the country. Consumers who have questions or want to seek a refund can call 1-800-458-1673.

BGOV Bill Summary: H.R. 2467, PFAS 'Forever Chemical' Package
Adam M. Taylor, Bloomberg Law
https://news.bloombergiaw.com/environment-and-energy/bgov-bill-summary-h-r-2467-pfas-forever-chemical-package?context=search&index=0

The Environmental Protection Agency would have to take several steps to regulate and mitigate pollution from per- and polyfluoroalkyl substances (PFAS) under H.R. 2467.

The measure includes language that would:

- Effectively bar the manufacturing of new PFAS, also called "forever chemicals."
- Direct the EPA to establish drinking water standards for the chemicals and designate certain PFAS as hazardous substances under the law that governs the Superfund cleanup program.
- Authorize $1 billion over five years for grants to support implementation of a new PFAS pretreatment standard at public water treatment works.
- Authorize $550 million over five years for a grant program to support the installation of treatment technologies.

PFAS are a class of more than 9,000 durable chemicals used as nonstick agents to make some cookware and in firefighting foam. PFAS exposure has been linked to adverse health conditions such as cancer, and the chemicals have been found in groundwater near facilities that use them, including military installations.

"It's time that these chemicals are properly addressed to protect the American people from the hazardous substances we know these forever chemicals are," Rep. Debbie Dingell (D-Mich.) said in a news release following her introduction of the bill. "Setting drinking water standards and designating PFAS as hazardous substances under the EPA's Superfund program will accelerate the clean-up process in communities and at military facilities all across this nation."

Most Republicans on the Energy and Commerce panel opposed the bill and argued for a more limited approach to addressing PFAS.

"The massive, simultaneously occurring, and uncompromisingly aggressive mandates in H.R. 2467 dispense with decades of science, risk, and administrative review and practice to hustle through results with only the patina of government action to instill public confidence," Rep. Cathy McMorris Rodgers (R-Wash.), the committee's top-ranking Republican, wrote in a dissenting views section of the committee report on the bill. "It is an unmistakable conclusion for any reasonable person reading this bill that, when faced with the collective line up of proposals contained in H.R. 2467, Congress intended to create a de facto ban on 9,252 chemicals."

Manufacturing
The bill would effectively bar the manufacture of new PFAS chemicals by requiring the EPA to automatically designate any processing notice regarding PFAS as posing an "unreasonable risk" to human health or the environment and to issue an order blocking the activity. The requirement would end five years after the bill's enactment.

The measure would also permanently disqualify PFAS processing or manufacturing from exemptions to EPA notification requirements.

Superfund
The EPA, within one year of the bill's enactment, would have to designate perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and any salts that produce them as hazardous substances under 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which governs the Superfund program. Salts refer to solids that produce the acids when dissolved.

Within five years of enactment, the agency would have to determine whether all PFAS chemicals should be designated as hazardous substances under CERCLA individually or in groups.

Designation under CERCLA triggers reporting requirements related to the chemicals and enables federal response—including assessment and treatment—to releases or threatened releases.

The bill would exempt airports from liability for cleaning up PFAS related to fire suppression if the Federal Aviation Administration required its use and it was done in accordance with FAA standards.

Drinking Water Standards
The EPA would issue a primary drinking water regulation for PFAS under the 1974 Safe Drinking Water Act within two years of the bill's enactment. At a minimum it would have to include standards for PFOA and PFOS.

The standards would [...]

EU Takes First Step to Restricting 6,000 'Forever Chemicals'
Stephen Gardner, Bloomberg Law

https://news.bloomberglaw.com/environment-and-energy/eu-takes-first-step-to-restricting-6-000-forever-chemicals?context=search&index=1

The European Union on Thursday launched the first move to prohibit a group of about 6,000 per- and polyfluoroalkyl substances, with a declaration by five countries that they'll make a formal restriction proposal next year.

Denmark, Germany, the Netherlands, Norway and Sweden seek to prevent the manufacture, sale and use of PFAS within the EU, in an effort to stop discharges into the environment of substances so persistent they're known as "forever chemicals."

- PFAS may be toxic, cause "irreversible environmental exposure and accumulation" in soil and water, and are "very difficult and extremely costly" to clean up, the countries said in a filing to a European Chemicals Agency registry of intentions, which provides advance warning of restriction proposals.

- Affected companies can submit information and complete a questionnaire on the plan from July 19 to September 19, Dutch National Institute for Public Health and the Environment spokesman Ronald Kooren said.

- The limits on PFAS would be adopted as a restriction under the EU REACH law (Regulation No. 1907/2006 on the registration, evaluation, authorization, and restriction of chemicals).

Maine enacts US's most comprehensive restrictions on PFASs in products
Julia John, Chemical Watch
https://chemicalwatch.com/301569/maine-enacts-uss-most-comprehensive-restrictions-on-pfass-in-products

Maine has adopted a law to mandate the reporting and removal of most per- and polyfluoroalkyl substances (PFASs) in products within the decade, becoming the first US state to take an all-encompassing approach to regulating the controversial compounds.

The statute, which became law on 15 July without Governor Janet Mills' signature, will go beyond other state efforts to prohibit PFAS use in specific goods, such as firefighting foam and food packaging, and span the substance class's use in all products. Maine's law follows close on the heels of Vermont's unprecedented ban on the compounds in carpets, rugs, aftermarket treatments and ski waxes.

Patrick MacRoy, Defend Our Health's deputy director, said Maine's measure "will change the conversation on how PFASs are regulated, not only addressing the entire class, but creating the requirement to avoid these persistent and toxic chemicals wherever possible".

The legislation (LD 1503) will eventually bar the sale of new items containing intentionally added PFASs, including in components, unless the substances' use is deemed "unavoidable".

The phase-out will begin with carpets, rugs and fabric treatments on 1 January 2023, continue with uses most likely to cause pollution and expand to all nonessential uses by 2030.

To help the department determine which PFAS applications are unavoidable, the legislation sets out a broad data-collection effort, beginning in 2023.

Producers must report to the Department of Environmental Protection (DEP) all PFAS-containing goods sold in the state, with a few exceptions. Each written disclosure will require:

- the manufacturer's contact details;
- a brief item description;

- the chemical abstracts service (Cas) number and purpose of PFASs used;
- their specific amount, derived via commercial analytical methods or as fitting into a DEP-authorised range; and
- any additional details the department deems necessary to carry out the policy.

Reporting entities must modify their notifications with any major updates to this information or upon the agency's request.

The law enables the DEP to impose fees, grant extensions, give permission to report on a product category instead of individual products and collaborate with other jurisdictions to obtain disclosures. The department may also waive all or part of the notification mandate if it finds the same information is already openly available.

If the DEP thinks a banned item is available for sale, it may require the producer to furnish a certificate verifying that the product is PFAS-free. Or the business must inform those selling the item in the state that the activity is illegal and provide the department with a list of those notified and their addresses.

If it has sufficient funds, the DEP will work with stakeholders to devise a source reduction programme supporting and educating industrial and commercial PFAS users, solid waste disposal users and the public on PFAS-free replacements and proper management of PFAS-containing goods.

Impacts on 'every major industry'
The amended bill, sponsored by Representative Lori Gramlich (D), cleared the state legislature with an overwhelming majority on July 2, after a unanimous House vote last month.

According to the text, "to address the imminent threat of further contamination of soil and water in the state, it is imperative to collect information regarding the use of PFASs in and to phase out the sale of certain nonessential products containing PFASs."

Rainer Lohmann, director of the research partnership Sources, Transport, Exposure and Effects of PFAS (STEEP), said the measure "sets a national model" for dealing with the compounds and "will help drive innovation in safer chemistries".

However, the American Chemistry Council (ACC) called the legislation "misguided", noting that it "will eventually ban thousands of products that Maine families and businesses rely on without providing meaningful impact on public health".

The trade association [..]

EPA seeks withdrawal of PFASs approved through TSCA low-volume exemptions
Terry Hyland, Chemical Watch
https://chemicalwatch.com/299710/epa-seeks-withdrawal-of-pfass-approved-through-tsca-low-volume-exemptions

The US EPA has announced a stewardship programme asking companies to voluntarily withdraw per- and polyfluoroalkyl substances (PFASs) that were granted US market access through a low-volume exemption (LVE) and never went through the TSCA new chemicals review process.

Creation of the new stewardship programme follows the agency's announcement in April that it is likely not to allow new PFASs to enter the market unless they have been through the more rigorous pre-manufacture notice (PMN) review process.

The EPA said it will work with companies, trade groups and NGOs to encourage the withdrawal of some 600 PFASs previously granted LVEs.

Participating companies could choose to withdraw LVEs and certify they will no longer make or import the corresponding PFAS, or an LVE could be withdrawn after the submission and review of a PMN.

Companies that take part in the programme will be recognised on the EPA's stewardship programme website, the agency said, much as it did with a similar voluntary PFOA stewardship scheme, launched in 2006.

The EPA said it will hold a webinar on 29 July to provide a broader overview of the programme.

Expanding PFAS work
The stewardship programme is the latest in a string of actions the agency has announced to address PFASs, many still in their preliminary stages.

Last month, the agency proposed a TSCA section 8(a) reporting rule that could require companies – with few exceptions – to provide detailed information on more than 1,300 PFASs made or imported into the US over the last decade.

Also in June, a senior official in the EPA's chemicals office said it plans to group the thousands of substances into smaller categories to more easily prioritise and manage the compounds.

And earlier this week, the EPA moved to name nearly all PFASs as drinking water contaminants of concern that could see future regulation. PFOA and PFOS were omitted from the list because it said it already is moving forward with national drinking water standards for the two chemicals.

The agency said it proposed grouping the remaining PFASs together in response to public calls to include the class of chemicals in its draft of the fifth contaminant candidate list (CCL-5) of substances that may require regulatory action under the Safe Drinking Water Act (SDWA).

The group listing on the CCL-5 draft does not mean PFASs will be addressed as a single class in subsequent regulatory decisions, but the agency said on 12 July that the "action is in keeping with the agency's commitment to better understand and ultimately reduce the potential risks caused by PFAS".

The EPA also is seeking nominations of scientific experts to review the CCL-5 draft.

Replacing PFASs in food packaging could be complicated but feasible
Julia John, Chemical Watch
https://chemicalwatch.com/299815/replacing-pfass-in-food-packaging-could-be-complicated-but-feasible

Industry representatives have raised concerns that swapping per- and polyfluoroalkyl substances (PFASs) in food packaging for less harmful options will be tough due to their inferior functionality and availability, but scientists and regulators suggest the switch is feasible.

Connecticut has just enacted a prohibition on the sale or distribution of PFAS-containing food packaging, from 2024, taking action similar to Washington state, Maine, New York, Vermont and Minnesota. However, Connecticut's statute stands out for specifying that replacement substances cannot be "used in a quantity or manner that creates a hazard as great as, or greater than, the hazard created by the [PFAS] chemical".

Producers could find this language hard to comply with, partly because of the complexities of fulfilling safety and effectiveness criteria. Still, scientific and regulatory authorities say companies are already moving to options that - unlike PFASs - are not persistent, bioaccumulative and toxic (PBT). And they expect this momentum to continue as substitutes become better, cheaper and more common.

'Difficulties for businesses'

"The mere presence of PFASs in a product does not indicate a hazard," the American Chemistry Council told Chemical Watch. The group said these compounds in food packaging are well-researched and "subject to testing requirements and controls to allow them entry into the market" in the US.

Determining what qualifies as a less risky substance "will create difficulties for businesses", the ACC said, because prospective PFAS substitutes would "need to provide equivalent functional performance in order to meet various safety and performance standards".

Washington state's recent two-year analysis showed several food packaging categories have "no suitable alternatives to PFAS chemistries", the trade association said.

Greg Glenn, plant physiologist with the US Department of Agriculture (USDA)'s bioproducts research unit, agreed that devising equally effective, less hazardous choices will be tricky, particularly since many PFAS products' health implications have not been thoroughly examined, he said.

"It can take years before a health risk can be fully assessed," Dr Glenn said, noting that short-chain compounds adopted as safer versions of long-chain ones almost a decade ago are now "coming under intense scrutiny".

Eliminating the substance class in food packaging "will be of little help if the PFAS alternatives are ultimately found to have their own health risks", he said. PFAS-free plastic or biodegradable films or wax coatings would be less harmful, but they may not work as well, be too expensive or introduce other issues such as plastic pollution, Dr Glenn said.

California's Department of Toxic Substances Control (DTSC) has proposed designating PFAS-containing food packaging as a priority product under its Safer Consumer Products (SCP) scheme to make producers search for alternatives.

The agency said it has "reviewed quite a bit of information on the hazards of the degradation products and impurities of the PFASs", including through a new public toxicity database, and compiled much of the current findings in a product–chemical profile.

Companies are voluntarily removing many PFASs from food packaging following FDA research revealing the toxicity and persistence of certain short-chain compounds once regarded as less concerning, the DTSC said. "Perhaps the biggest challenge food packaging manufacturers may face stems from" identifying similarly functioning replacements for moulded-fibre articles holding hot foods, the agency said.

Independent consultant Maricel Maffini said shifting to existing substitutes for fluorinated high-density polyethylene (HDPE) food containers could also be difficult due to drawbacks like non-recyclability. Regardless, she said, "when it comes to PFASs, we don't need them" in food packaging "to function as a society", especially given the possible consequences of environmental [...]

Lawmakers, Biden officials vow action on PFAS
E.A. Crunden, E&E News
https://subscriber.politicopro.com/article/eenews/2021/07/15/lawmakers-biden-officials-vow-action-on-pfas-179925

Greenwire | Lawmakers and regulators are increasingly mobilizing behind efforts to crack down on so-called forever chemicals as pressure to find a solution swells to a fever pitch.

At an inaugural conference pegged to issues around per- and polyfluoroalkyl substances, EPA Administrator Michael Regan vowed to "follow the science" on the chemicals and offer a strong federal partner to local governments.

Hosted by the Environmental Working Group, the event served as a testament to how much attention the chemicals have garnered from policymakers.

"I saw firsthand the devastating effects that PFAS has on communities," Regan said, referencing his time as North Carolina's top environmental regulator, where he oversaw a massive deal regarding one PFAS compound, GenX.

"We will tackle this issue by working hand in hand," he said, pledging an approach spanning multiple federal agencies.

Brenda Mallory, chair of the Council on Environmental Quality, noted that PFAS contamination was one of the most prominent issues raised during her confirmation process. "The PFAS problem can feel enormous, because it is," she said, promising action from the Biden administration while pushing Congress to take more assertive action.

"Congress has a very important role, because there are aspects of the PFAS problem that could certainly be helped if there was legislation."

Multiple lawmakers used the event to bolster their case for exactly that. Legislation targeting the chemicals has ramped up this year, with multiple bills revived from the previous congressional session, including the "PFAS Action Act" (H.R. 2467) sponsored by Michigan Reps. Debbie Dingell, a Democrat, and Fred Upton, a Republican.

That bill, the most sweeping piece of PFAS legislation under consideration, would see PFOA and PFOS regulated under the Safe Drinking Water Act and designated as hazardous substances under Superfund law. Within five years, regulators would have to make a decision whether to similarly target the rest of the PFAS class (E&E Daily, June 24). While the legislation passed the House in the last Congress, it ultimately stalled in the Senate due to GOP resistance and a veto threat from former President Trump.

Proponents are hopeful that this time, fortunes have changed.

"It's coming to the floor next week," said Dingell in her own remarks during the conference, calling on viewers to pressure their representatives for support. "We need you to help make sure we're getting more Republican votes."

Industrial discharges and accountability
The conference overlapped with the release of EWG data finding nearly 30,000 new industrial sites are potential PFAS dischargers.

Those sites are in addition to the 2,501 sites the group previously identified as reporting industrial discharges last year. David Andrews, a senior scientist with EWG, deemed the findings "very troubling" and offered that current federal and public knowledge around PFAS releases is "woefully inadequate."

Rep. Chris Pappas (D-N.H.) spoke in conversation with Andrews and touted legislation that would require new PFAS effluent limitation guidelines.

Calling EWG's new data "a staggering increase in terms of the number of suspected sources," Pappas said the revelations were "all the more reason why Congress and the federal government need to act as quickly as possible."

Speakers also stressed accountability from chemical manufacturers and the need for greater federal oversight.

EPA is already moving forward with SDWA regulations for PFOA and PFOS, in addition to mulling hazardous substance designation for those chemicals. The agency launched a PFAS council under Regan, vowing to formulate an action plan for cracking down on the substances (Greenwire, April 27).

But the Biden administration is under significant pressure to pick up the pace. "What's amazing to me is that the EPA has known about the risks posed by PFAS for decades and done almost nothing," said actor Mark Ruffalo, who played [...]

EPA Readies TSCA Test Regime For PFAS To Support Future Regulations
David LaRoss, Inside TSCA
https://insideepa.com/tsca-news/epa-readies-tsca-test-regime-pfas-support-future-regulations

EPA chemicals chief Michal Freedhoff says the agency is readying an array of TSCA orders that will require industry to conduct new testing on the toxicity, fate and other properties of select per- and polyfluoroalkyl substances (PFAS), as part of an agency-wide strategy for addressing the chemicals.

During the Environmental Working Group's (EWG) online "Inaugural PFAS Conference" July 14, Freedhoff announced the upcoming Toxic Substances Control Act (TSCA) test mandates alongside new details on efforts to roll back previously-granted exemptions from new-chemicals review for some perfluorinated substances, and initiatives from EPA's waste and water offices -- all to be informed by data from the upcoming tests.

"We intend for this national testing strategy to address the data needs of multiple offices at EPA and throughout the federal government, as well as to support future actions on PFAS," Freedhoff said.

While she gave no clear timeframe for when EPA plans to mandate the first round of testing, Freedhoff said the first step of the project will be for staff across the agency to pool existing information on PFAS, locate gaps in that data and then begin to identify "representative" substances that could be tested as surrogates for subgroups of the larger chemical class.

"This national testing strategy involves centralizing existing PFAS data -- a necessary step to identify those data gaps -- and then grouping PFAS into categories or subclasses based on similarities in chemical and toxicological properties," she said.

Freedhoff continued that EPA "will then choose representative chemicals within each of those categories as the first substances that we will require testing on, using our TSCA authorities. We'll start with tests that fill critical gaps in knowledge of human health and environmental hazards and effects, but we'll also consider the environmental fate and transport, toxicokinetics, and exposures to specific human subpopulations."

The results of those tests will help officials "draw conclusions about the other PFAS within each of the categories, and to identify additional testing needs," she said. She later added that EPA also intends to continue conducting its own toxicity assessments on several key PFAS, and is investigating ways to use new approach methodologies (NAMs) such as computational toxicology to overcome data gaps in those studies.

Describing the program's nationwide focus, Freedhoff appeared to reference the TSCA petition from several North Carolina community groups asking EPA to require the chemical giant Chemours to conduct new toxicity testing on 54 PFAS found in the state's Cape Fear River watershed and linked to a nearby facility it owns. But she said the new strategy would aim to gather data on a nationwide scale rather than targeting specific localities.

"We've heard the request from communities in North Carolina and all across the country who've been left wondering what potential impacts decades of exposure may have had on their families, and we agree that the agency must do more to answer these questions -- not just for some PFAS in some communities, but for all PFAS, and in communities across the country," she said.

Range Of Policies
Findings from those tests could inform policies ranging from drinking water standards to cleanup requirements for sites contaminated with PFAS, in addition to direct limits on the substances' use, manufacture and import under TSCA.

And the announcement comes just a day after EPA proposed to include nearly all PFAS on its fifth contaminant candidate list (CCL5) of substances being considered for new Safe Drinking Water Act (SDWA) rules.

The proposed CCL5 includes all PFAS other than perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS),

which are already the subject of proposed SDWA regulatory determinations and thus not eligible for the CCL.

Freedhoff also detailed a new TSCA "voluntary stewardship" program to address PFAS that EPA [...]

Common pesticide (chlorpyrifos) may increase autism risk, researchers find
NA, Health Europa
https://www.healtheuropa.eu/common-pesticide-may-increase-autism-risk-researchers-find/109919/

In a study conducted by researchers at Johns Hopkins Bloomberg School of Public Health, evidence was found that genetic and environmental factors may be able to combine to disturb neurodevelopment.

The findings of the study have been published in Environmental Health Perspectives.

For a long while, it has been thought that a combination of genetic and environmental factors may contribute to an increased risk of developing autistic spectrum disorder – a developmental disorder characterised by cognitive function, social, and communication impairments.

The researchers created a brain organoid model consisting of balls of cells that are differentiated from human stem cell cultures and mimic the developing human brain. They discovered that chlorpyrifos, a common pesticide alleged to contribute to developmental neurotoxicity and autism risk, dramatically reduces levels of the protein CHD8 in the organoids. CHD8 is a regulator of gene activity important in brain development. Mutations in its gene, which reduce CHD8 activity, are among the strongest of the 100-plus genetic risk factors for autism that have so far been identified.

The study is the first to demonstrate in a human model that an environmental risk factor can amplify the effect of genetic risk factors for autism.

Study lead Lena Smirnova, PhD, a research associate in the Department of Environmental Health and Engineering at the Bloomberg School, said: "This is a step forward in showing an interplay between genetics and environment and its potential role for autism spectrum disorder."

Quicker and more cost-effective research
Evidence for how environmental factors and genetic susceptibilities interact to increase the risk of autism spectrum disorder has been difficult to examine, and therefore remains mostly unknown. One of the main reasons for the lack of research in this area is that traditional experiments using laboratory animals are expensive, particularly for cognitive disorders, and are of limited relevance to humans.

The study's use of brain organoids signals a quicker, less expensive, and more human-relevant alternative for experimentation in this field.

The research group, led by co-author Herbert Lachman, MD, Professor at Albert Einstein College of Medicine, engineered the cells that make up the organoids to lack one of the two normal copies of the CHD8 gene. This modelled a substantial, but less-than-total, weakening of the CHD8 gene's activity – similar to that seen in people who have CHD8 mutations and autism. The researchers then examined the additional effect of exposure to chlorpyrifos, which is still widely used on agricultural produce in the US and abroad.

Smirnova said: "High-dose, short-term experimental exposures do not reflect the real-life situation, but they give us a starting point to identify genetic variants that might make individuals more susceptible to toxicants.

"Now we can explore how other genes and potentially toxic substances interact."

The researchers found that the brain organoids with just one copy of the CHD8 gene had only two-thirds the normal

level of CHD8 protein in their cells, but that chlorpyrifos exposure drove CHD8 levels much lower, turning a moderate scarcity into a severe one. The exposure clearly demonstrated how an environmental factor can worsen the effect of a genetic one, likely worsening disease progression and symptoms.

As part of their study, the researchers compiled a list of molecules in blood, urine, and brain tissue that prior studies have shown to be different in autism spectrum patients. They found that levels of several of these apparent autism biomarkers were also significantly altered in the organoids by CHD8 deficiency or chlorpyrifos exposure, and more so by both.

"In this sense, we showed that changes in these organoids reflect changes seen in autism patients," Smirnova says.

The findings, according to the researchers, pave the way for further studies of gene-environment interactions [...]

Video: Eastern Arkansas faces potential 650,000 to 800,000 acres of dicamba damage
Hannah Campbell, KAIT
https://www.kfvs12.com/2021/07/15/eastern-arkansas-faces-potential-650000-800000-acres-dicamba-damage/

WYNNE, Ark. (KAIT) - On Wednesday, Senator Ron Caldwell toured thousands of acres of crops damaged by dicamba. He is trying to get the Arkansas Agriculture Board to change spraying rules.

Dicamba is a herbicide used to kill pigweeds but can be very damaging if it's transmitted from one crop to another.

Caldwell, along with Arkansas Department of Agriculture extension agents, traveled to Wynne, Forrest City, Marianna, Stuttgart, DeWitt, and Holly Grove, to hear from farmers.

There's no official data yet.

However, the Arkansas Department of Agriculture is still accessing the damage, but they think anywhere from 650,000 to 800,000 acres of crops are damaged just in the eastern Arkansas areas they visited Wednesday.

Farmers agree that one person can devastate thousands of acres of crops.

"I don't know of a field yet that hasn't been hit," said the owner of Matthews Sweet Potato Farm.

The owner says his entire crop has been damaged. He raises about 1,050 acres of sweet potatoes. He says he has been experiencing issues for four to five years and won't know how much damage there is until harvest time in the fall.

"It can hit me pretty hard if it hits me that bad, but a million dollars is a lot for me. We've been looking at these things for two weeks, and it's still there. You can see noticeable damage on the leaves," said Matthews.

Other farmers at the meeting say, in the past, usually, about 10 percent of their crops are damaged. That means they're out at least $1 million.

Most farmers want the same thing as a solution, like Tim Fisher, the owner of Fisher Farm. He has damaged soybean crops.

"We hope to push this spray time back into May where it was because we feel like the June spray date gets the heat on us and lets it move around everywhere," said Fisher.

Wes Ward, the Secretary of Agriculture, confirms that the hotter and more humid it is, the more likely dicamba is to travel on other crops.

Caldwell says they're trying to get the agriculture board to change rules.

"What we hope to do is get a cutoff period that would work for all farmers. They still need to control the pigweed, but as one of the scientists has said, basically, we have a dicamba bomb right now," said Caldwell. "Between the heat and humidity, the dicamba is in the air, and it just won't go away."

Ward says last year, they received 218 complaints when the spray cutoff date was May 25. So far this year, they've had 290 complaints with a June 30 cutoff.

EPA Appoints New Members to TSCA SACC
Lynn L. Bergeson and Carla N. Hutton, Bergeson & Campbell Blogs
http://www.tscablog.com/entry/epa-appoints-new-members-to-tsca-sacc

On June 15, 2021, the U.S. Environmental Protection Agency (EPA) appointed nine new members to serve on the Toxic Substances Control Act (TSCA) Science Advisory Committee on Chemicals (SACC). Additionally, EPA appointed a new Chair and reappointed seven existing members. In EPA's July 13, 2021, announcement, EPA notes that members of the TSCA SACC serve staggered terms of appointment, generally of three years. They possess expertise in scientific and technical fields relevant to chemical risk assessment and pollution prevention, including human health and ecological risk assessment and chemical exposure to susceptible life stages and subpopulations. EPA states that in addition to scientific expertise, members also have backgrounds and experiences that will contribute to the diversity of scientific viewpoints, including professional experiences in government, public health, industry, and other groups. According to EPA, TSCA SACC serves as a primary scientific peer review mechanism of EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) and is structured to provide independent scientific advice and recommendations to EPA on the scientific basis for risk assessments, methodologies, and pollution prevention measures and approaches for chemicals regulated under TSCA.

Seed Treatment Overload: The Unintended Consequences of a Popular Practice
Emily Unglesbee, DTN/Progressive Farmer
https://www.dtnpf.com/agriculture/web/ag/crops/article/2021/07/13/seed-treatment-overload-unintended

ROCKVILLE, Md. (DTN) -- For the first time in nearly a decade, Dan Hesterberg poured a few bags of untreated corn seed into his planter this spring.

"It was kind of weird opening up the seed and dumping it -- I thought, 'Wow! It's just plain old yellow corn -- no purple, no green!" the Vermilion County, Illinois, farmer recalled.

The seed had no insecticides, fungicides or other chemicals on it, a rare practice known as "planting naked." While that modern moniker conjures up images of vulnerability, it was how most seed arrived on his farm until about 15 years ago, Hesterberg points out.

Since then, seed companies have been coating a growing number of compounds on nearly every corn seed planted in the country; use in other row crops, such as soybeans, wheat, cotton and rice, is rising steadily as well. Yet details about their use, efficacy and fate in the environment are murky.

The seed treatment industry operates with minimal federal oversight, due to a loophole in EPA's governing law, leaving questions about the amount of pesticides applied via this route and how unused treated seed is discarded each year. In the meantime, a growing number of federal and academic studies are casting doubt on its necessity, particularly in soybean fields. Another body of research is finding most of the pesticides coated on the seeds aren't staying put, with

alarming consequences for water quality and wildlife.

Most recently, new questions are arising over what happens to large amounts of pesticide-coated seeds that must be discarded at the end of each season. No federal laws govern the disposal of bulk amounts of treated seed, and there is little follow through or monitoring of the few facilities that accept it. This fact became painfully clear in Mead, Nebraska, this spring. There, an ethanol plant mismanaged the millions of bushels of treated corn seed it accepted from seed companies each year. The result -- hazardous seed waste piled on the facility and pesticides surfacing in ponds and surface water miles away from the facility, sometimes poisoning wildlife -- has served as a wake-up call to many in the industry.

"When we get comfortable with something, we get cavalier," said Cary Giguere, a pesticide regulator in Vermont, which recently became the first state to fully regulate treated seeds as pesticides. "We got comfortable with pink-coated corn seed. So the industry got cavalier with it. It should never have happened."

The concept of treated seed is appealing. The seed takes up the systemic insecticides -- usually neonicotinoids -- into plant tissue to protect it from hard-to-scout soil pests. Fungicides shield the seed from the many soil-dwelling diseases lurking around it, all with less work and pesticide exposure for the farmer. As the practice grew, it didn't occur to many farmers to opt out, Hesterberg noted. "I just kind of went along with what the seed company said," he said. "They started always offering treated seed and they told us it would pay off."

The agricultural industry isn't the only user of pesticides found in seed treatments. Neonicotinoids, the most common insecticides found on today's treated seeds, are also sold in an array of consumer products such as pet collars and lawn and garden insect treatments. That adds to the difficulty of judging just how much of a particular pesticide is going out into the environment annually.

For years, scientists and environmentalists have been sounding the alarm that these insecticides are surfacing well beyond their targeted fields and lawns.

Academic and government studies have found neonicotinoids present in many American waterways, from rivers and wetlands to municipal drinking water. Their presence in soils and water have been linked to detrimental effects on birds, mammals, pollinators such as bees, beneficial insects and aquatic invertebrates. CDC researchers have also found the chemicals in the urine of roughly half Americans sampled, raising questions about [...]

Time for EPA to come clean on PFAS
Rebecca Fuoco and Arlene Blum, The Hill
https://thehill.com/opinion/energy-environment/563024-time-for-epa-to-come-clean-on-pfas

Early in the 2019 film “Dark Waters,” Mark Ruffalo watches in exasperation as hundreds of boxes of documents are wheeled into his law firm. His character — real-life attorney Rob Bilott — has forced a powerful chemical company to turn over information on toxic chemicals it dumped near a West Virginia farm. The resulting boxes fill up a storage room wall-to-wall, but Bilott sits on the floor and begins doggedly going through the files one by one.

After many all-nighters away from his family poring over the documents, he begins unraveling the toxic truth about Teflon, one of the corporation’s most profitable postwar products. One of the key ingredients, perfluorooctanoic acid (PFOA), was harmful and the chemical company had known about it since the 1960s.

The box scene perfectly demonstrates the lengths scientists, attorneys and advocates have had to go in seeking critical information about health harm from PFOA and other per- and polyfluoroalkyl substances (PFAS) that the chemical manufacturers — and sometimes the Environmental Protection Agency — have been aware of for years.

PFAS are linked to cancer, high cholesterol, obesity, endocrine disruption and other serious health harms. This

suppression of information and their identity and harm has led to the drinking water contamination and illness of communities near chemical plants across the country like the community depicted in "Dark Waters." In an example reported this month, records obtained through a Freedom of Information Act request by Physicians for Social Responsibility reveal that in 2011 the EPA approved the use of three fracking chemicals it knew could break down into toxic and persistent PFAS.

The documents are heavily redacted since the chemical manufacturer invoked trade-secret claims to conceal basic information, including the specific identities of the chemicals. Further, there is no public data identifying where the chemicals have been used.

The shielding of this essential information from the public is especially hazardous for people living near drilling sites, who may be sickened by these and other fracking chemicals. Communities need to know about the chemicals to which they are being exposed in order to demand water testing and clean-up. If and when they do fall ill, not knowing the chemicals' identity can delay proper diagnosis and treatment.

In some cases, the EPA has allegedly gone beyond withholding information on PFAS to actually altering it. For example, a whistleblower told The Intercept's Sharon Lerner that risk assessments of a PFAS compound she conducted as an EPA employee were rejiggered, resulting in a 33-fold underestimation of its risk.

The veil of secrecy the EPA has allowed surrounding PFAS comes at a high cost. Even EPA scientists have had to take the expensive and time-consuming reverse engineering approach to track down chemical compositions, uses and harms of PFAS polluting communities. They have been found by our team of scientists and others in everyday products from makeup to fast-food packaging.

This not only wastes resources (including taxpayer dollars) but also lets these extremely persistent "forever chemicals" build up in our environment and bodies before we know enough to try to protect ourselves from them.

Fortunately, President Biden could turn things around. His administration has designated reducing harm from PFAS, including improved transparency, as a priority. Last month the Biden EPA proposed a new rule requiring PFAS manufacturers and importers to disclose information about any PFAS chemical produced in any year going back to Jan. 1, 2011. That includes chemical identity, categories of use, volumes manufactured and processed, byproducts, environmental and health effects, worker exposure and disposal.

The rule includes no minimum volume for reporting and eliminates previous exemptions for articles, impurities, and by-products. This is significant, as limits and exemptions can create regulatory loopholes [...]

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