Message

From: Grevatt, Peter [Grevatt.Peter@epa.gov]
Sent: 1/10/2018 3:49:58 PM
To: Kaplan, Robert [kaplan.robert@epa.gov]; Sinks, Tom [Sinks.Tom@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Mason, Paula [Mason.Paula@epa.gov]
Subject: RE: Wolverine clips, Jan. 10, 2018

Thanks Bob. I'd be glad to connect on this. Paula Mason can assist with scheduling on my end and she would be happy to work with your and Barry's schedulers to get this set up.

From: Kaplan, Robert
Sent: Wednesday, January 10, 2018 10:42 AM
To: Sinks, Tom <Sinks.Tom@epa.gov>; Grevatt, Peter <Grevatt.Peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Subject: FW: Wolverine clips, Jan. 10, 2018

Barry, Tom, Peter,

Please see below. I'd like to talk to you about this. We had a good visit to Lansing yesterday. I'd like to share Michigan's plans in Wolverine and beyond with you.

- Bob

Robert Kaplan
Acting Director, Superfund Division
EPA Region 5 – Chicago
Cell: Ex. 6 - Personal Privacy
Direct:
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From: Lippert, Allison
Sent: Wednesday, January 10, 2018 8:27 AM
To: Lippert, Allison <lippert.allison@epa.gov>; Bassler, Rachel <Bassler.Rachel@epa.gov>; Kaplan, Robert <kaplan.robert@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Chu, Ed <Chu.Ed@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Mattas-Curry, Lahne <Mattas-Curry.Lahne@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Arrazola, Ignacio <arrazola.ignacio@epa.gov>; Asque, Gillian <asque.gillian@epa.gov>; Aultz, Erica <aultz.erica@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; Kimble, Jeffrey <kimble.jeffrey@epa.gov>; Boone, Denise <boone.denise@epa.gov>; Chabria, Monesh <chabria.monesh@epa.gov>; Cisneros, Jose <Cisneros.Jose@epa.gov>; Clark, Jacqueline <clark.jacqueline@epa.gov>; Deamer, Eileen <deamer.eileen@epa.gov>; Dodds, Jennifer <dodds.jennifer@epa.gov>; El-Zein, Jason <el-zein.jason@epa.gov>; Frey, Rebecca <frey.rebecca@epa.gov>; Gangwisch, Bryan <gangwisch.bryan@epa.gov>; Guerriero, Margaret <guerriero.margaret@epa.gov>; Harris, Kimberly <harris.kimberly@epa.gov>; Harris, Michael <harris.michael@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Johnson, Mark <johnson.mark@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Korleski, Christopher <korleski.christopher@epa.gov>; Mangino, Mario <mangino.mario@epa.gov>; Mankowski, Matthew <mankowski.matthew@epa.gov>; Moore, Tammy <moore.tammy@epa.gov>; Morris, Julie <morris.julie@epa.gov>; Muniz, Nuria <Muniz.Nuria@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Newman, Erin <newman.erin@epa.gov>; Peaceman, Karen <Peaceman.Karen@epa.gov>; Poy, Thomas <poy.thomas@epa.gov>; Prendiville, Timothy <prendiville.timothy@epa.gov>; Schupp, George <schupp.george@epa.gov>; Bair, Rita <bair.rita@epa.gov>; Tanaka, Joan <Tanaka.Joan@epa.gov>; Victorine, Gary <victorine.gary@epa.gov>; Williams, Thomas <williams.tom@epa.gov>; Wilson, Jennifer <wilson.jenniferA@epa.gov>; Zintek, Lawrence <zintek.lawrence@epa.gov>
Subject: Wolverine clips, Jan. 10, 2018

Wolverine PFAS press clips
US EPA Region 5 – prepared by the Office of Public Affairs
January 10, 2018

Associated Press	**Michigan sets standard for chemical contaminant in water**
Detroit News	**Michigan sets limit for chemical contaminants in water**
MLive	**Michigan abruptly sets PFAS cleanup rules**
MLive	**Belmont woman's blood is 750 times national PFAS average**

https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water

Michigan sets standard for chemical contaminant in water

POSTED 4:07 AM, JANUARY 10, 2018, BY FOX 17 NEWS

LANSING, Mich. (AP) — Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion.

That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted $23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

http://www.detroitnews.com/story/news/local/michigan/2018/01/09/water-contamination-standard-michigan/109307042/

Michigan sets limit for chemical contaminants in water

Michael Gerstein, The Detroit News Published 6:19 p.m. ET Jan. 9, 2018

Lansing — Amid growing concern over chemical contaminants in the state's drinking water, Gov. Rick Snyder's office on Tuesday adopted a threshold for when regulators can act against polluters.

The new rule will require state remediation if residential or commercial drinking water is found to have per- and polyfluoroalkyl levels that meet or exceed 70 parts per trillion.

The substances, known collectively as PFAS, have been found in at least 14 communities across the state and have drawn extra scrutiny because of legacy pollution from a former chemical dumping site for footwear company Wolverine Worldwide north of Grand Rapids.

The new action level mirrors federal guidelines from the U.S. Environmental Protection Agency and is the first time the state has had any such threshold for PFAS.

Because the EPA guideline is only a recommendation for unsafe exposure levels, it's difficult for states to hold companies responsible for any PFAS pollution, said Ari Adler, a spokesman for Snyder.

"It's harder to hold someone liable for something that there's no action level for, it's just an advisory," Adler said. "We needed to set an action level. You have to have somewhere to start, so we're gonna start with the 70 parts per trillion because that's what the federal government" recommends.

Michigan's new threshold comes after Snyder signed a supplemental spending bill in December allocating $23.2 million in state money toward cleaning up groundwater contamination from PFAS at 28 sites across the state.

At least 14 Michigan communities have sites known to have some level of PFAS in ground or drinking water supplies, according to the state. Problem areas include locations in Ann Arbor, the Wurtsmith Air Force Base in Oscoda and the former Wolverine Worldwide tannery and company dump sites in Rockford, Belmont and Plainfield Township.

While at least one state environmental official claims he sounded alarms about the potential threat five years ago, officials say they are still trying to understand the depth and breadth of PFAS contamination across Michigan.

PFAS were commonly used in a variety of industrial, food and textile industries over the past 50 years and have been used to make products such as firefighting foams, food packaging and cleaning products.

The EPA considers PFAS an "emerging contaminate" and says exposure to high levels has been shown to hurt humans and animals in lab tests, including producing low infant birth weights and affecting immune system issues. Animal testing data also suggests a link between PFAS and cancer, according to the federal agency.

One Plainfield Township home had a well that tested at 10,000 parts per trillion of perfluroalkyl substances – way over the federal guideline.

Snyder's office also announced on Tuesday the creation of two new advisory committees meant to help with the new chemical contamination response effort.

Dr. Eden Wells, chief medical executive with the Department of Health and Human Services, will lead one such committee and Dr. David Savitz with Brown University's School of Public Health will lead the second committee.

Together, the two committees will coordinate communication between local communities and state and federal response efforts, coordinate data, develop action plans and look into the science surrounding the issue.

The committees will also consider whether the new action level is sufficient in the future, according to Snyder spokesman Adler.

http://www.mlive.com/news/index.ssf/2018/01/michigan_pfos_pfoa_part_201_cr.html

Michigan abruptly sets PFAS cleanup rules

Updated Jan 9, 8:24 PM; Posted Jan 9, 4:40 PM
By Garret Ellison

LANSING, MI -- Michigan is establishing enforceable cleanup criteria for a pair of unregulated fluorochemicals polluting drinking water supplies around the state.
The new rules for PFOS and PFOA -- a pair of per- and polyfluoroalkyl substances known as PFAS or PFCs -- take effect Tuesday, Jan. 10, a day after the state issued the coordinated announcement from Gov. Rick Snyder's office and environmental regulators.

The new legally-enforceable limit of 70 parts-per-trillion (ppt) for the two chemicals mirrors the Environmental Protection Agency's health advisory level for PFOS and PFOA, compounds linked to some cancers, thyroid disease and other health problems.

Although the criteria has the force of law, it is primarily a rule governing environmental remediation activities. It's not the same as a Maximum Contaminant Level (MCL), commonly known as a drinking water standard.

Nonetheless, Michigan has now officially set acceptable concentrations of PFOS and PFOA in groundwater used for drinking water purposes, allowing regulators to issue violation notices and take legal action against polluters who don't comply with the rules.

PFAS chemicals like PFOA and PFOS have been found above 70-ppt in 78 private groundwater wells in Kent County, 14 wells near Grayling and one well near the former Wurtsmith Air Force Base in Oscoda.

Kent County wells are contaminated by PFAS in 3M's Scotchgard fabric protector used by Wolverine World Wide at its former Rockford tannery. Tannery sludge waste was dumped in landfills, gravel pits and spread on farms as crop fertilizer years ago.

Wolverine has been voluntarily testing wells and giving bottled water and filtration systems to affected homes since the contamination was discovered in March 2017.

Now, the Michigan Department of Environmental Quality will have authority to require those and other actions in the 14 communities with known PFAS issues statewide.

Part 201 of Michigan's Natural Resources and Environmental Protection Act allows the state to seek reimbursement in court for pollution cleanup activities, or seek an injunction against a polluter in court if the contamination exceeds the new criteria.

"Once these criteria are established, then an exceedance of the criteria without permission puts a responsible party at risk of having to pay for or perform cleanup," said Charles Denton, an environmental attorney at Barnes & Thornburg in Grand Rapids.

DEQ director Heidi Grether said the agency's philosophy is "that we expect responsible parties to voluntarily comply with state clean up criteria, which is why we work in close collaboration with them to help bring them into compliance."

"This rule update allows us the proper enforcement tools to ensure state law is met on the occasion that we need them, should compliance become a challenge," she said.

Wolverine said it "welcomes this decision because it brings greater clarity to the discussions involving these compounds."

As it has in the past, Wolverine again called the 70-ppt benchmark "very conservative," and said "we will defer to the regulatory agencies and scientific experts for their knowledge and experience, and will continue to follow their guidance as we work to restore the community's confidence in its water."

Denton called it "odd" for the new rules to be suddenly pulled out of an ongoing broader update to the state's Part 201 environmental cleanup criteria, which has been under development for years.

Denton said the PFAS criteria was originally proposed in August.

"They pulled out this one set and made it effective immediately, whereas the rest of the Part 201 criteria is going through the normal public process," he said.

The new rules come days before a deadline for resolution of a dispute between the DEQ and U.S. Air Force over PFAS levels in Van Etten Lake near Wurtsmith base in Oscoda. Concentrations in the lake exceed the state's 12-ppt surface water standard for PFOS, a related cleanup benchmark for lakes and rivers.

Use of PFAS-laden firefighting foam at Wurtsmith, Camp Grayling, the Alpena National Guard training center and other military bases has contaminated water supplies.

The PFAS criteria decision was made concurrently with an announcement from Gov. Snyder's office about creation of two science advisory committees that "may lead to recommended changes in the future" for enforceable PFAS levels.

The committees are part of Michigan's new PFAS Action Response Team (MPART), and "will coordinate and review medical and environmental health PFAS science and develop evidence-based recommendations" within the next six months.

One committee will be led by David Savitz of Brown University and the other by Eden Wells, chief medical officer at the Michigan Department of Health and Human Services, who is currently facing charges related to her role in the Flint water crisis.

Critics of the EPA's health advisory level say mirroring that level for groundwater cleanup falls short of setting standards as health-protective as other states have done.

"While we commend Michigan's efforts to act, the state could have gone further to protect health," said David Andrews, a senior scientist at the Environmental Working Group.

Andrews said New Jersey is moving ahead with drinking water standards of 14- and 13- ppt for PFOA and PFOS respectively, and a safe level of exposure may be less than 1-ppt. A bill in the Michigan house has proposed a 5-ppt standard.

The EPA does not have legally enforceable standards for PFOS and PFOA in drinking water. The advisory level is a non-enforceable guideline that was established in 2016.

"At the end of the day, PFOA, PFOS and other similar chemicals do not belong in drinking water and the cost for cleaning up this mess should be on the polluters," Andrews said.

http://www.mlive.com/news/grand-rapids/index.ssf/2018/01/pfas_blood_test_ppt.html

Belmont woman's blood is 750 times national PFAS average

Updated Jan 9, 11:40 PM; Posted Jan 9, 10:45 PM
By Garret Ellison

BELMONT, MI -- Sandy Wynn-Stelt has been confronting her own mortality for the past few days after getting some disturbing but not entirely unexpected news.

Last week, Wynn-Stelt received blood testing results showing extremely high levels of per- and polyfluoroalkyl substances known as PFAS or PFCs in her blood.

A California lab found four different PFAS compounds in her blood serum. Combined, they totaled 5 million parts-per-trillion (ppt). Of that, one chemical, PFOS, was found at 3.2 million-ppt -- about 750 times the national blood level average of 4,300-ppt, according to an American Red Cross blood donor study.

It was shocking news, but Wynn-Stelt has been getting used to that since she found out in July her Plainfield Township home's well was poisoned with extremely high PFAS levels from an old Wolverine World Wide liquid sludge dump across the street.

Wolverine used the 76-acre undeveloped land as a landfill for hazardous sludge waste generated by its former tannery in Rockford, where the company treated pigskin with 3M Scotchgard, a PFAS-laden fabric protector used to make Hush Puppies shoes.

"My first thought was, 'this isn't good, and Oh my God -- Joel had to be four times worse,'" said Wynn-Stelt, whose front window stares at the 1855 House Street dump site.

Joel R. Stelt is her late husband, a protective services worker who died at 61 of liver cancer in March 2016. About a 17 months later, state workers asked to test Wynn-Stelt's well, which is polluted by PFOS at 542 times above the federal health guidance level.

Attorneys at Varnum Law in Grand Rapids, who are suing Wolverine on behalf of dozens of clients with polluted wells, say such high blood PFAS levels might be expected from a chemical factory worker. Wynn-Stelt is a clinical psychologist who not only says she drank less water than her husband, but whose drinking water for more than a decade has come through a reverse osmosis filter that testing shows significantly reduced PFAS at the tap.

"This is either built up exposure from before the filter that still hasn't left her body, or that combined with other water used in the house," said Varnum attorney Aaron Phelps. "It's off the charts."

Varnum has pushed Wolverine to cover blood testing for people exposed to PFAS from the House Street plume and others in Algoma Township, where one well tested at more than 20,000-ppt, according to the Michigan Department of Environmental Quality.

The Environmental Protection Agency health advisory level for PFOS and PFOA combined is 70-ppt, a hotly-debated benchmark set last year in the absence of a federal drinking water standard that would add the chemicals to the list of regulated contaminants.

Wynn-Stelt paid $800 for the test and had to cajole her doctor's office to order it by pledging to cover the lab cost herself and avoid the hassle with the insurance company, which won't cover it. Varnum is now covering the blood testing for many of its clients.

She questions whether past ailments are PFAS-related. She's suffered from thyroid problems and gout -- both symptoms linked to PFAS exposure in studies -- as well as osteoarthritis and uterine cysts that forced her to have a hysterectomy in 2014.

"At the time, you never think, 'I bet this is because my water is contaminated,'" she said. You think it's part of life. Now, every ache and pain you get, you wonder what that's going to be? Is that PFAS?"

Wolverine was not available to comment Tuesday evening.

Wolverine has hired toxicologist Janet K. Anderson help cast doubt on associations between PFAS exposure and diseases. The company has dismissed blood testing in a blog post, claiming individual tests has "no clinical value" and are "neither routine nor recommended in communities addressing potential PFAS impact on drinking water."

State health and local health officials have echoed that to some degree, citing difficulty the U.S. Centers for Disease Control has experienced interpreting blood data in order to make clinical recommendations and health risk evaluations.

Mark Hall, medical director at the Kent County Health Department, said at the Nov. 29 PFAS townhall meeting in Rockford that a study of 69,000 people exposed to PFOA through contaminated drinking water in West Virginia, "showed that regardless of the blood test level, it couldn't predict who would get sick and who wouldn't."

"It led the ATSDR, which is the toxicology branch of the CDC, to give a clinical guidance which is new-ish from June of this year, that does not recommend blood testing because they can't interpret it, based on one of the largest epidemiologic studies that's really been done on an exposure (which) did not show that sort of dose response and it couldn't be interpreted in an individual patient and had no prognostic or other value," Hall said.

Wynn-Stelt thinks that type of medical mindset misses a larger point. Regardless of whether PFAS blood testing provides clear answers or helps predict the onset of any particular disease, "we do know it's not good for you," she said. "Duh."

Public health researchers who have co-authored human studies on PFAS exposure say the evidence that PFAS causes disease is "more likely than not."
Wynn-Stelt is developing a plan with her doctors to start tracking any possible related symptoms to "try and stay ahead" of any health problems that could arise.

She said Joel's cancer came on very swiftly.

"It went so quickly with him, I don't know we could have found it or saw it coming."

She loses sleep at times; not only because of the unknowns in her future but out of concern for young families on her street and others atop the plume.
"I have a very strong faith, so that helps," she said. If she dies, then "maybe I'll be reunited with Joel on the other side."