



April 30, 2020

Representative Mike Freiberg
509 State Office Building
St. Paul, MN 55155

Dear Representative Freiberg and members of the Government Operations Committee,

The presence of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) in Minnesota's waters is a serious health concern that must be addressed. We are reaching out to you on behalf of the Coalition of Greater Minnesota Cities (CGMC) and the League of Minnesota Cities (LMC) because we are concerned that the approach proposed in H.F. 3423 will do little to address the presence of PFOA and PFOS in our waters while simultaneously creating problems for municipalities throughout the state of Minnesota.

While problems associated with PFOA and PFOS in the East Metro are well known, cities across the state are concerned about this issue as well. For example, both PFOA and PFOS have been found in Bemidji's municipal water system at levels above EPA's health advisory level due to the chemicals leaching from firefighting foam into the city's wells. The city must now construct a new \$16 million water treatment facility to address this problem it did not cause.

Our concern with H.F. 3423 is that it does not address the problem that cities like Bemidji or those in the East Metro face. This legislation requires the Minnesota Pollution Control Agency to establish water quality standards to address PFOA and PFOS by July 1, 2023. After adoption, these water quality standards would be used, in part, to establish limits in municipal wastewater facility permits (NPDES permits). The problem with this approach is that there is currently no feasible method for wastewater treatment facilities to remove PFOA or PFOS from their effluent. Thus, the standard would do virtually nothing at this time to address the presence of PFOA and PFOS in wastewater. It could also lead to permit violations or other significant environmental liability for these same municipalities who are technologically unable to meet the pollution limit in their permit.

Our cities and their wastewater systems have not created this problem; wastewater treatment facilities do not produce or use PFAS¹ in the course of treating wastewater, but receive these chemicals through the waste stream due to their widespread use.

Because there is no effective method for removing PFOA or PFOS from the wastewater stream, the only way to address this problem at this time is to stop these chemicals at the source. In short, we have to keep them from getting into the waste stream in the first place.

¹ PFAS refers to per- and polyfluoroalkyl substances, a class of chemicals that includes PFOA and PFAS.

The CGMC, LMC, and other municipal groups are working with Representative Peter Fischer, Senator Carrie Ruud and other legislators to address this problem through a Municipal PFAS Source Reduction Strategy. This legislation, H.F. 3638, would appropriate funding to study how to keep all PFAS out of the wastewater stream and develop strategies to do so.

We appreciate Representative Sandell's efforts to address the presence PFOA and PFOS in our waters, which have had a serious impact on his community and cities throughout Minnesota. However, at a time when we are facing a serious budget crisis, Minnesota should invest in solutions that will directly tackle the PFAS problem by attempting to keep it out of our waters altogether.

We therefore oppose H.F. 3423 and ask that the Legislature instead devote resources to addressing the source of the problem.

Sincerely,



Audrey Nelsen, Willmar City Councilor
President, Coalition of Greater Minnesota Cities



Craig Johnson, Intergovernmental Relations
League of Minnesota Cities