

Benjamin Rule – PFAS Prevention Bills - Updated

My name is Benjamin Rule. When I was 16 years old I was diagnosed with Acute Lymphoblastic Leukemia. By the time it was discovered the Leukemia had already spread throughout 76% of my body, and it was the first of my many close calls. The following 5 years were comprised of an aggressive treatment plan where I went through countless doses of countless types of chemotherapy, frequent spinal taps, multiple surgeries, during which I developed numerous complications, as well.

One of the more major complications was severe pancreatitis due to an allergic reaction I had to a specific chemotherapy the *third* time I received it. It was already the most painful chemo to receive that I can recall, but the severe pancreatitis that followed quickly outclassed it. The pancreatitis resulted in me needing to be placed in a medically induced coma for 11 days to stop my body from shutting down completely, and when I woke up from the coma it was discovered that I was now a Type 1 Diabetic due to the damage that ensued in my pancreas. I was placed on a high dose of steroids to hopefully reverse the damage done to my pancreas before it was “set in stone”, but unfortunately that didn’t work and instead it only resulted in avascular necrosis in a few of my joints, primarily in my left hip. The ball and socket joint on my hip had deteriorated into a spike, and I had to walk on it for a few years before I was able to get a hip replacement due to the aggressive treatment plan that I was still undergoing for Leukemia. I will have to undergo the same surgery in the future as hip replacements don’t last forever.

About a year after the coma it was discovered that there was also heavy scarring in my pancreas that was blocking the blood flow between it and my spleen, and my spleen was well on track to bursting because of this. I ultimately had to get my spleen and part of my pancreas removed immediately after that discovery, adding another tally to my excessive amount of near death experiences at such a young age.

I went through years of intense physical and emotional turmoil, isolation from my friends and peers, and essentially the complete dismantling of the life I once lived. I was below rock bottom and then suddenly my treatment plan was complete, and my cancer cured, and I was “set free” and told to go make a life for myself. I beat Leukemia, but I lost myself in the process and I didn’t know how to go on. Over the years of treatment I had watched everyone I grew up with progressively grow and leave me behind while I was stuck in the hospital, and suddenly I was expected to be right on track with them again as if the last few years never happened. I felt like I had nothing and nobody at this point, and I didn’t want to continue. I was able to eventually find a mental health program that helped me learn how to carry on before it was too late, and I managed to find the strength to build a new foundation on the rock bottom where I was stranded for years and lift myself out of the pit to begin anew. But let me make it clear, in my situation, I’m one of the lucky ones - simply because I survived.

I grew up and lived the majority of my life in the Oakdale area in Minnesota. I went to Tartan High School in Oakdale as well, and I mention this because of the abnormally high number of students who have been diagnosed with some form of cancer while attending there. This is the same area where 3M’s PFAS chemicals permeated the ground water and the surrounding environment. While there is no 100% guarantee that the PFAS chemicals are what gave me Leukemia, the same higher than normal rates of cancer in relation to PFAS chemical exposure are happening in Australia, too, next to another 3M plant, and the evidence cannot be ignored any longer.

It is unacceptable to allow these forever chemicals to destroy not only our city, but our environment and our planet as well. If PFAS chemicals are even remotely to blame for my illness then I fear for the other people, families, and children living in the areas where they are at risk of exposure. Nobody deserves to go through what I did. We all deserve clean water and good health. We all deserve accurate information, and regulation over, and full disclosure about, the effects of PFAS chemicals that are being forced upon not only humanity but the flora and fauna that live in and make up our environment, as well. 3M has an eco-responsibility to address and remedy the PFAS chemical situation as well as protecting and preserving our planet. This is our only home, where we're all born and we all spend our lives trying to find happiness and meaning, and without any kind of intervention or accountability those ideals will only get harder and harder to achieve. Oakdale deserves better 3M. So does Minnesota, so does Australia, and so does our planet.



Association of Minnesota Counties

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January 31, 2023

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

Re: PFAS Identification and Source Reduction (HF742, HF552, HF372)

Dear Chair Hansen and committee members:

The Association of Minnesota Counties (AMC), a membership-based organization representing all 87 Minnesota counties, appreciates the opportunity to offer our support of the legislation being heard today to identify PFAS sources and reduce sources.

Per- and polyfluoroalkyl substances (PFAS) have been used in products and processes for many decades and their persistence has resulted in detection throughout our environment. While PFAS is a broad category of chemicals, some of the most studied have proven to be hazardous to human health.

AMC supports producer responsibility that obligates manufacturers to minimize environmental and social impacts of their products. The primary effort for reducing the environmental impacts and human exposure is to stop introducing sources of the contaminant. Prevention is the most effective and least costly tool. To that end, these bills from Representatives Koytza-Witthuhn, Norris and Hollins (HF742, HF552, HF372) focus on identifying current known users and source reduction.

Unfortunately, because PFAS are already widespread locally and globally we will also need to work collaboratively to identify locations that present a high risk for human exposure and develop methods to manage the pollution. AMC supports producers being financially responsible for this expense when possible, or use of federal and state resources. Local governments should not be left to pick up the tab, which puts the burden of all on the few.

AMC appreciates the legislature's focus on identifying primary sources of contamination and eliminating or reducing those from the waste stream.

Sincerely,



Brian Martinson, Policy Analyst
Association of Minnesota Counties



**CONSERVATION
MINNESOTA**

January 31, 2023

Chair Hansen and Members of the Environment and Natural Resources Finance and Policy Committee,

We write today to express our broad support for policies that prevent dangerous PFAS contamination in Minnesota. As this committee considers important PFAS legislation, Conservation Minnesota urges members to support common-sense measures that keep harmful contaminants out of the homes of Minnesota families and the lakes and rivers enjoyed by Minnesota communities.

PFAS, or per- and polyfluoroalkyl substances, are “forever chemicals” created for a wide variety of products that end up in the homes, workplaces, and waste streams of our state. These chemicals don’t break down in the environment, they permeate soils and contaminate water sources, and they bioaccumulate in fish and wildlife consumed by Minnesotans. As PFAS continue to be produced and distributed, our exposure to these chemicals is increasing – as is our understanding of their dangerous health impacts.

Studies on PFAS exposure suggest that high levels of these chemicals may lead to increased cholesterol, changes in liver enzymes, decreases in infant birth weights, decreased vaccine response, increased risk of high blood pressure or pre-eclampsia in pregnant women, and increased risk of kidney or testicular cancer. In animal-based laboratory research, PFAS have been shown to cause liver and immune system damage, birth defects, delayed development, and newborn deaths. Avoiding these impacts is near-impossible, as PFAS contamination can result from contamination in occupational environments, drinking water, food sources, soil, dust, air, and products made or packaged using PFAS.

As we allow the continued production of PFAS, we force families to face growing health threats from ever-accumulating chemicals and we leave local communities to bear high costs from PFAS treatment and removal. House Files 742, 552, and 372 take important and necessary steps to mitigate these threats. Minnesota’s residents deserve prohibitions on known PFAS in products like firefighting foam. Minnesota’s children deserve protection from dangerous forever chemicals in their pillows, their high-chairs, or their cribs. Minnesota’s consumers deserve information on whether their products include intentionally added PFAS. The bills before you today afford Minnesotans these safeguards.

On behalf of our members across Minnesota, we respectfully urge you to join us in supporting this legislation to prevent PFAS exposure and to protect our families and communities. And we hope that you will continue to advocate for further policies that limit the threat of forever chemicals.

Sincerely,

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January 30, 2023

Chair Hansen & Members of the House Environment and Natural Resources Committee:

Thank you for the opportunity to provide general comments on PFAS as the Committee considers regulation.

The Minnesota Retailers Association is made up of 1,200 retail stores across the state, including main street retailers, regional/mid-sized retailers, and retailers with a national presence. Today's retail market is competitive, and consumers are mobile with many options for purchasing products, including across the country and in some cases even the world.

Given how consumers buy and how the retail market works, we ask that as you look at regulating products you consider the following:

- **Products sold in Minnesota should not have a standard set only for Minnesota.** A Minnesota-only or outlying standard could result in the removal of products from our shelves if manufacturers are not inclined to make products just for Minnesota, or consumers may elect to purchase products outside the state.
- **Our state approach should be in concert with federal, industry, and other collaborative standards** as opposed to being out on our own.
- **Longer sell-through provisions** for retailers should be provided with a **deference to “manufactured-before” and “manufactured-after” dates.**
- Language should recognize that PFAS may exist in small amounts based on how a product is made. As an example, water used in manufacturing could contain trace amounts of PFAS that end up in a product. If prohibitions are passed, the **focus should be on “intentionally-added” PFAS and de-minimis levels should be allowed.**
- **PFAS definitions should be uniform and common.**

We know many retailers are taking steps and working with manufacturers and suppliers on goals to limit or phase out PFAS. Thank you for ensuring Minnesota is working collaboratively with others and recognizing we are a part of a larger marketplace.

Sincerely,

Bruce Nustad
president



January 31, 2023

Dear Chair Hansen and Environment and Natural Resources Finance and Policy Committee Members:

I am writing on behalf of the North Star Chapter of Sierra Club in support of the following bills:

HF742 Firefighting foam use prohibited, and exemptions allowed

HF552 PFAS in juvenile products prohibited

HF372 Products containing PFAS notice required, and rulemaking required

PFAS chemicals are very persistent and do not break down naturally. They are toxic, bioaccumulate in our bodies, and are linked to serious health concerns such as kidney and testicular cancer, liver and thyroid problems, reproductive problems, pregnancy-induced high blood pressure, low birthweight, and increased risk of birth defects. People who live near or work at PFAS production or manufacturing sites are often at highest risk but there is also risk from using and disposing of PFAS-treated products. With every PFAS product that is made, the PFAS burden increases. One of the most inexpensive and effective steps we can take to protect our health and the environment is to be aware of where PFAS is being used, eliminate its use where alternatives are available and to use it only where it is vital and where there are no current alternatives.

HF742 Firefighting foam use prohibited

Aqueous Film Forming Foam (AFFF) is effective at extinguishing Class B fires; however, its use has been the source of some of the most serious soil, surface water, and groundwater contamination around the world. In addition to the environmental damage, AFFF has threatened the health of firefighters and local communities. Firefighters were often not warned of the risks and the need to treat AFFF as a hazardous material. Runoff went directly into the soil or nearby waterways, contaminating wells and groundwater. AFFF exposure has been linked to bladder, kidney, testicular, and prostate cancer.

On Jan. 6th, the Pentagon published a new military specification for a PFAS-free replacement. By October 2023, all military purchases of AFFF must meet those new specs and the Defense Department must cease all use of PFAS-foam by October 2024.

This bill is important to ensure that Minnesota follows federal requirements and makes the switch to PFAS-free foam as soon as possible to protect firefighters and our environment.

HF552 PFAS in juvenile products prohibited

“Stain-resistant” and “waterproof” are common themes with children’s products. They may seem like a must-have feature for a mattress pad or stroller, but few parents would knowingly trade their kid’s health for a stain-free fabric. Parents do not have the full picture of the risks PFAS pose. Children, especially infants, are surrounded by PFAS-treated products and are exposed for long periods of time. They may ingest the chemical by touching the fabric and



SIERRA CLUB
NORTH STAR CHAPTER

North Star Chapter
2300 Myrtle Ave, Suite 260
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putting their hands in their mouths or by breathing the chemical as it flakes off fabrics. PFAS is mobile and can spread to other items in the laundry and ends up in the wastewater stream.

Some toxic chemicals, like phthalates, leave the body within days after exposure ends; PFAS however bioaccumulate and may remain in the body for years. Children, especially babies, are most at risk because of their size compared to exposure levels and because they are going through periods of development. PFAS is an endocrine disrupting chemical and can, even at very low levels, have life altering impacts. This toxic, persistent chemical does not belong in children's products.

HF372 Products containing PFAS notice required

Long-chain PFOA and PFOS has been voluntarily phased out in the US however they continue to show up in imported products. While rolling out new uniforms in 2018 and getting numerous health complaints from employees, Delta tested them and found PFOA in an apron and coat. Other companies using similarly treated fabric might be unknowingly exposing their employees. Because of the complexity of supply chains, manufacturers often don't have a clear understanding of where PFAS might be found in their products.

When shoe company Keen examined their use of PFAS, they found that for 70% of their products, for example sandals, PFAS was being used but was unnecessary and they were able to easily eliminate it. For the remaining 30%, where PFAS was being used for waterproofing, they found alternatives and were able to eliminate PFAS from all their products while maintaining quality.

There are more than 9,000 known PFAS compounds, at least 600 are currently used in the U.S and few are regulated. They are found in more than 200 product categories. If companies use a toxic chemical that poses serious health risks and permanently contaminates our environment, they should be aware of what they're using, how much, and for what purpose.

PFAS treated products are a threat to our health and the environment. Recent studies found PFAS in measurable levels in rainwater and pine needles. As PFAS is found in increasing levels in the environment, the guidelines for safe levels continue to drop.

The use of PFAS has caused widespread contamination in Minnesota and is showing up in every corner of the planet. All of this has occurred in less than eighty years. We must act faster to phase out the use of PFAS to protect our firefighters, our community, and our environment. I urge you to support these three important bills.

Sincerely,

Lori Olinger
Chair, Zero Waste Task Force
Sierra Club North Star Chapter