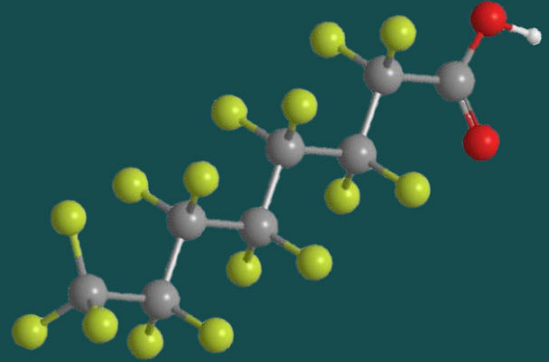


THE PROBLEM WITH PFAS



Minnesota Center for
Environmental Advocacy



THE PROBLEM:

- PFAS (per- and polyfluoroalkyl substances), otherwise known as “Forever Chemicals,” have been produced and released into the environment for decades. These synthetic chemicals enter the human body and cause a battery of serious health complications. Despite the known risks to human health and the environment, little has been done to address this problem.
- PFAS are extremely soluble and mobile in the environment (within soils and water) and enter the human body through multiple pathways (drinking water, fish tissue, etc.). Ingesting PFAS has been linked to reproductive issues, developmental delays in children and infants, and increased risk of cancers ([EPA](#)).
- PFAS are commonly found in the soil and groundwater near airports and military bases because products containing PFAS have commonly been used at these sites for training purposes.
- Firefighters face an increased risk of PFAS exposure through the use of AFFF (Aqueous Film Forming Foam), an agent used to distinguish fires that contain PFAS. The consequences of the long term and repeated exposure to PFAS from these sources is a health concern for firefighters and has not been sufficiently studied.
- Several legislative loopholes have been leveraged by chemical manufactures to allow the continued production and use of these chemicals.
- There is currently no Maximum Contaminant Level set by the EPA for PFAS in drinking water.

BACKGROUND:

- 3M, headquartered in Maplewood, is a major producer of consumer and industrial products containing PFAS. It recently disclosed that it has long-known about the adverse health effects of these chemicals, and how it has done little to remediate this growing problem.
- In October 2021, the Biden administration announced plans to regulate PFAS. This multi-year long strategy includes addressing PFAS in drinking water under the Safe Drinking Water Act. The Biden Administration also intends to designate PFAS as a hazardous substance under the Superfund law. This would allow EPA to issue cleanup responsibilities and costs to the party responsible for the pollution.
- The [EPA also included plans](#) to require chemical manufacturers to test and report PFAS in household items that are an increasing public health concern.

MINNESOTANS DESERVE A STRONG RESPONSE TO PFAS CONTAMINATION

- Firefighters deserve protections against PFAS in AFFF that can be harmful to their health.
 - A 2019 white paper from [IPEN \(International Pollutants Elimination Network\)](#) describes the contamination and risks to firefighters through the use, handling, and disposal of AFFF and PFAS products;
 - Michigan initiated disposal and collection efforts as a result of these studies to halt the use of products containing PFAS.
- A lack of information about what products contain PFAS is detrimental to public health and adds risk to sensitive populations, like mothers, pregnant women, infants, and small children. Disclosing when a product contains PFAS allows consumers to purchase safer alternatives.
- Regulating the manufacture, use, and disposal of these forever chemicals requires immediate legislative action to protect all Minnesotans and the health of the environment.
- Communities near landfills, airports, and chemical manufacturing facilities suffer greater risk from PFAS contamination.

For more information:

- **EPA PFAS strategy:**
https://www.startribune.com/epa-unveils-strategy-to-regulate-toxic-forever-chemicals/600107660/?utm_source=newsletter&utm_medium=email&utm_campaign=talkers
- **What is MN doing about PFAS?:** <https://www.pca.state.mn.us/waste/what-minnesota-doing-about-pfas>
- **Firefighters and AFFF:**
[\(https://www.firerescue1.com/firefighting-foam/articles/forever-chemicals-what-firefighters-need-to-know-about-aff-and-pfas-8pdsKB4G2G1fJoIM/\)](https://www.firerescue1.com/firefighting-foam/articles/forever-chemicals-what-firefighters-need-to-know-about-aff-and-pfas-8pdsKB4G2G1fJoIM/)

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Testimony of Deanna White to the House Environment Committee February 10, 2022

Good afternoon, Chair Hansen and members of the Committee,

My name is Deanna White and I am the State Director of Clean Water Action. I also serve as the Director of the Healthy Legacy Coalition – a health-based coalition of more than 30 organizations focused on ensuring that consumer products – especially those for children – are made without the use of toxic chemicals.

The Healthy Legacy Coalition joins with Clean Water Action and its more than 50,000 members across Minnesota in support of three bills before you today- HF 2906, HF 2907, and HF 2952. These bills are part of a larger PFAS Prevention Package that aims to stop the non-essential use of PFAS in a wide array of products.

PFAS are a class of chemicals in need of immediate action based on their threat to human health and widespread and costly pollution in our environment. Research at the CDC links PFAS to a variety of health concerns including decreased fertility, liver damage, and increased risk of asthma.¹ Despite industry claims, the newer generation of PFAS chemicals shouldn't be considered safe. Studies by the National Institute of Environmental Health revealed that seven current-use PFAS induced similar toxicity as their phased-out counterparts.²

PFAS are also known as “forever chemicals” because they have the strongest covalent bonds in organic chemistry. Due to the strength of this bond, PFAS are virtually indestructible and last a long time in the environment. Eliminating non-essential uses of PFAS was identified as a key opportunity to prevent pollution in “Minnesota’s PFAS Blueprint”. We hope that the committee will agree that preventing PFAS pollution should be a top priority for the legislature.

¹ Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, *Toxicological Profile for Perfluoroalkyls*, May 2021.

² “Per-and Polyfluoroalkyl Substances (PFAS), National Toxicology Program, National Institute of Environmental Health, last updated 8-03-2021, <https://ntp.niehs.nih.gov/whatwestudy/topics/pfas/index.html>.

The bills before the committee prohibit PFAS in three different product categories- cosmetics, cookware, and ski wax.

Alarming, a wide array of beauty products, ranging from mascara to lip balm, contain PFAS chemicals. Cosmetics with PFAS pose a health risk not only to the people using them, but also to their children. According to scientific research, PFAS have been found in 97% of human blood samples.³ These chemicals, including new generation PFAS, have also been found in breastmilk⁴, where they pass into infants, putting their health and development at risk. HF 2906 would ensure that we are protected from future PFAS contamination.

One of the larger markets for PFAS is nonstick cookware coatings. A 2020 study which tested 24 types of coated cookware found most of the tested nonstick cooking pans and some baking pans are coated with PFAS.⁵ Waste created by the PFAS manufacturing process has contaminated communities in Minnesota and across the country. Last year this Legislature wisely banned the use of PFAS in food packaging, removing it from cookware is a logical next step.

We have learned that PFAS are added to ski wax to increase speeds; particularly in Nordic skiing races. Research has demonstrated PFAS migrates out of ski wax, attaching to the snow and soil underneath ski tracks. As snow melts, PFAS can contaminate groundwater.⁶ Water system tests in Vermont showed high levels of PFAS water contamination near local ski resorts. This is an unnecessary risk to our environment that should be eliminated.

Just as with PFAS ski wax, when other PFAS containing products are used and disposed of, PFAS can migrate out of these products into the environment, including groundwater, and sewage sludge. As a

³ NHANES, “Serum Biomarkers of Exposure to Perfluoroalkyl Substances in Relation to Serum Testosterone and Measures of Thyroid Function among Adults and Adolescent”, 2011-12.

⁴ Guomao Zheng, et al., “Per-and Polyfluoroalkyl Substances (PFAS) in Breast Milk: Concerning Trends for Current-Use PFAS.” Environmental Science and Technology, 2021.

⁵ Healthy Stuff Lab, Ecology Center, “What’s Cooking? PFAS and Other Chemical Hazards in Nonstick Cooking and Baking Pans,” 2020.

⁶ Carlson, Gail, “Ski wax use contributes to environmental contamination by per-and polyfluoroalkyl substances,” Chemosphere, December 2020.

result of the widespread use of PFAS, more and more communities are being forced to address PFAS contamination in their drinking water sources. The difficulty and expense in treating the contamination is a burden on communities and water systems. We know that more and more Americans are drinking water containing PFAS. In an attempt to recover some of the massive costs of PFAS clean up, thirteen states have sued, or begun proceedings to sue, the manufacturers of PFAS chemicals for contaminating water supplies and other natural resources.

One commonality all these products share is they can be made without PFAS. A wide array of PFAS-free products is currently available. All of the categories-cosmetics, cookware, and ski wax have many PFAS-free alternatives on the market. Major brands, such as Swix Ski Wax, have also made commitments to phase-out their use.

While this market movement is welcome, states across the country are taking action to permanently close the door on the non-essential use of PFAS in products. We are asking the state of Minnesota to heed the call of EPA Administrator Michael Regan when he stated “Every level of government – from local, to state, to Tribal, to federal will need to exercise increased and sustained leadership to truly make progress on PFAS.”

Minnesota has been a national leader in prohibiting other harmful chemicals, such as formaldehyde and bisphenol-A in children’s products. Please continue this leadership by supporting the PFAS Prevention Package by passing HF 2906, HF2907, and HF2952 today

February 8, 2022

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

Re: Support for Reducing Sources of PFAS (H.F. 2906, H.F. 2907, H.F. 2952)

Dear Chair Hansen,

The Partnership on Waste and Energy (Partnership) is a Joint Powers Board consisting of Hennepin, Ramsey and Washington counties, formed to address waste management and energy issues. The Partnership seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.

The Partnership supports measures to design waste, toxicity and pollution out of the marketplace in pursuit of a sustainable, circular economy. Focusing on upstream solutions are more efficient and effective than dealing with costs and impacts after products have been used and disposed.

The Partnership is very concerned about the persistent presence of PFAS in the state's land, water and other resources. We support initiatives to reduce sources of PFAS as a strategy to protect public health and minimize the potential for PFAS to appear in waste materials and facilities managing those materials. Efforts such as H.F. 2906, H.F. 2907 and H.F. 2952 (Rep. Wazlawik) encourage re-examination of product design. This can minimize the use of ingredients that create problems for consumers, local governments and waste system operators and leave legacy costs that taxpayers are often forced to manage.

The Partnership appreciates the priority legislators place on mitigating the challenges posed by a range of problematic ingredients, including PFAS, and look forward to solutions that reduce PFAS in our environment and protect public health.

Sincerely,



Commissioner Fran Miron, Washington County
Chair, Partnership on Waste and Energy

cc: Peter Strohmeier, Committee Administrator
Commissioner Debbie Goettel, Hennepin County
Commissioner Victoria Reinhardt, Ramsey County
House Environment and Natural Resources Finance Committee members



February 9, 2022

To whom it may concern,

The Minnesota Composting Council (MNCC) is grateful that the State is concerned about PFAS in our environment. This is shown through MPCA's development of the PFAS Blueprint and the approval of the PFAS ban in food-service packaging during the 2021 Legislative Session.

PFAS chemicals, or 'forever chemicals' as they're often referred to, are an issue at all end-of-life facilities, including compost sites. As a receiver of waste, compost sites have little control over what material arrives at their facilities. As the State attempts to manage these chemicals in the environment, it is important to focus initial efforts on pathways that have a direct impact on human health and the environment. One clear action item described in the MPCA PFAS Blueprint is to eliminate the use of PFAS in non-essential products and applications, which the MNCC fully supports.

Furthermore, consumers are often unaware that there are PFAS chemicals in consumer products that they use on a daily basis. The MNCC supports any future requirements for all products containing PFAS chemicals to be labeled appropriately. Proper labeling that a product contains a PFAS chemical would help business owners and consumers make environmental and health-conscious decisions about products they purchase and use.

The MNCC supports the passage of the proposed bills which will prohibit PFAS in various consumer products:

- [HF 2906](#) – PFAS prohibited in cosmetics
 - o Compost operators continue to reduce the chances of PFAS entering their systems by not accepting products that could actually be composted primarily due to PFAS concerns. Tissues and paper towels on their own are fine for composting, however, the chemicals that are absorbed by tissues and paper towels when used to remove makeup may result in PFAS entering the composting facility.
- [HF 2907](#) – PFAS prohibited in cookware
 - o With possible high heat transfer of PFAS chemicals from cookware to the food we eat and also discard, cookware is a direct link to human health and the environment. While more research needs to be done on how PFAS transfer from cookware onto food, removing PFAS from cookware protects both human health and the environment and reduces the need for additional expensive studies.
- [HF 2952](#) – PFAS prohibited in ski wax
 - o While there are fewer direct links to composting from ski wax, the MNCC fully supports efforts to remove non-essential uses of PFAS that may make it into the environment

eventually. Limiting these uses reduces atmospheric deposition of these chemicals to nearby areas or dilution into our waters of the State.

We encourage you to pass these bills to prevent PFAS chemicals from having the opportunity to affect human health and our environment from these consumer products. This is a key action item that has been proven to work for other known chemicals in the past.

We are happy to answer any questions you have.

Sincerely,

Minnesota Composting Council

The Minnesota Composting Council is a 501c, 3 dedicated to the development, expansion and promotion of the composting industry based upon sound science, principles of sustainability and economic viability.

mncompostingcouncil.org



**CONSERVATION
MINNESOTA**

February 10, 2022

Dear Members of the House Environment and Nat. 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 would like to express our strong support for 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 or dust, air, and products made or packaged using “forever chemicals.”

As we allow the continued production of PFAS, we force Minnesota families to face growing health threats from ever-accumulating chemicals and we leave local communities to bear high costs from PFAS treatment and removal. Fortunately, your committee is considering preventative legislation at a time of widespread, necessary action. At the federal level, new rulemaking and infrastructure funding will allow for improved monitoring and management of PFAS. And, at the state level, bipartisan compromise from last session will require a ban on PFAS in food packaging by 2024. This is an opportunity to capitalize on and continue these efforts by eliminating the unnecessary use of PFAS in additional products, fighting contamination at its source.

On behalf of our members across Minnesota, we respectfully hope that you will join us in supporting legislation to prevent PFAS exposure and to protect our families and communities. Thank you.

Sincerely,

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February 10, 2022

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building

Re: PFAS Source Reduction (HF2906, HF2907, HF2952)

Dear Chair Hansen and committee members:

The Minnesota Solid Waste Administrators Association (SWAA) is an organization of county and solid waste district professionals and affiliated waste specialists and is an affiliate of the Association of Minnesota Counties. SWAA advocates for policies and funding that improve and promote responsible waste management and reduce environmental impacts of solid waste.

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.

SWAA 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 source of the contaminant. Prevention is the most effective and least costly tool. To that end, Representative Wazlawik's legislation (HF2906, HF2907, HF2952) focuses on source reduction and directs producers to develop safer alternatives.

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. SWAA 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.

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

Sincerely,

Laine Sletta
SWAA President

CC: House Environment and Natural Resources Committee