

Opening Statement
Chairman Paul D. Tonko
Subcommittee on Environment & Climate Change
Committee on Energy and Commerce
Hearing on “Protecting Americans at Risk of PFAS Contamination and Exposure”
May 15, 2019

Our legislative hearing this morning will examine solutions to reduce environmental and health risks from per- and polyfluoroalkyl substances, commonly known as PFAS.

This hearing builds on good work that began under the leadership of our Republican colleagues last year when they held a hearing to better understand these substances, as well as EPA and DOD’s response to the growing number of communities dealing with contaminations.

At that hearing, we established that PFAS are a large class of chemicals, numbering between four and five thousand, commonly used in firefighting foams, food packaging, nonstick cookware, and water- resistant fabrics.

These chemicals are remarkably persistent in the environment and incredibly toxic and dangerous to human health even in very small concentrations — equivalent to a few drops in an Olympic-sized swimming pool.

We are still learning the full extent of the dangers, but PFAS exposure has already been linked to kidney disease, thyroid dysfunction, and various forms of cancer.

Other committees have held hearings on the risks and toxicity of PFAS chemicals.

And it is clear that there is considerable interest from Members on both sides of the aisle and in both chambers to determine how Congress should proceed in the face of this growing crisis.

I know there are many Members, including members of this committee, dealing with PFAS contamination back home.

Over the past few years, I have had numerous opportunities to meet with families of Hoosick Falls and Petersburg in Rensselaer County, New York, including Ms. Marpe, who we will hear from this morning, and her daughter Gwen.

And just last week, I visited the water system and other sites in Horsham, Pennsylvania, learning from and seeing the challenges they have faced first-hand.

I know these communities, their local leaders, and their water systems are trying to do everything possible to protect their residents.

These contaminations and the resulting harm to public health are not their fault, and it is incumbent upon us to make sure they have the resources, information, and legal authorities to

remediate contaminations to protective levels and to hold polluters accountable — even when those polluters are a federal entity.

Today's hearing is the first that will examine concrete solutions being offered by our colleagues. We will consider 13 bills that have been referred to the Subcommittee. These bills address how we can reduce exposure, expedite cleanups, and dispose of these chemicals safely.

While addressing PFAS in drinking water is a top priority of mine, today we will also hear that PFAS exposure concerns go beyond water. These bills range across multiple statutes, including the Safe Drinking Water Act, Superfund, TSCA, and the Clean Air Act.

Earlier this year, EPA released its PFAS Action Plan. I do not doubt that the motivations of the Administration are good, but there can be no question that their response has been inadequate.

First, EPA's plan is not comprehensive. The plan focuses primarily on two chemicals in a class of thousands: PFOA and PFOS. These are certainly the best known PFAS, but domestic manufacture of these two ceased years ago.

Real and ongoing risks for future exposure will come as companies substitute them with other emerging and dangerous substances, such as Gen X.

Second, EPA has given us little reason for confidence that they will act with the urgency that impacted communities know is needed. EPA has not even committed to setting a national drinking water standard. And even on the most aggressive timeline, regulatory action will take years.

To be clear, this is as much a criticism of the Safe Drinking Water Act than of this EPA. In the past 22 years, there has been just one contaminant determined to need a national standard. It has been years since that determination, and we are still waiting for it to be finalized.

It will likely take many years for PFOA and PFOS to have a finalized enforceable and protective standard, should EPA determine that to be their course of action.

We need to have a larger conversation about SDWA regulatory reform, but that issue cannot stop us from taking action on PFAS. SDWA's shortcomings are bigger than PFAS, and PFAS issues are bigger than drinking water.

We must consider what is needed to be done right now.

This is just the beginning of this process. I welcome feedback from any stakeholder or Member interested in these or other bills, so that we can move forward in a way that best protects our communities from the damage these substances are causing.

But one thing is clear: we cannot wait for EPA to act.

Congress needs to be actively involved to ensure the protection of Americans' health. My hope

is some combination of the bills considered today can enable us to make progress to reduce the risks of exposure, increase testing and monitoring, and require, as well as provide resources to support, remediation.

I thank my colleagues for their work on this timely issue, as well as our witnesses for sharing their insights, and sometimes painful experiences. I look forward to working together to find potential agreement.

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