



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

November 5, 2018

Heather A. Govern, Director
Clean Water Program
CLF Massachusetts
62 Summer Street
Boston, MA 02110

Sylvia Broude
Executive Director
Toxics Action Center
294 Washington St. #500
Boston, MA 02108

Subject: Petition for Rulemaking to Establish a Treatment Technique
Drinking Water Standard for Per- and Polyfluoroalkyl Substances

Dear Ms. Govern and Ms. Broude:

I am writing in reference to your petition to the Massachusetts Department of Environmental Protection (MassDEP) regarding protecting drinking water and public health from Per- and Polyfluoroalkyl Substances (PFAS). The agency is currently reviewing the petition and will be in further contact with you in the very near future regarding next steps required by 310 CMR 2.00. These steps are described at the end of the letter.

In the meantime, MassDEP has taken a number of measures to address PFAs, and as we outlined in our recent meeting, we are intending to take additional action.

As your letter notes, in June 2018, MassDEP issued a public health guideline to address five PFAS chemicals in drinking water. The guideline established by MassDEP is 70 parts per trillion (or "70 ppt") for the sum of the concentrations of **five** PFAS compounds with similar

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

chemical structures and toxicity. This guideline was developed by MassDEP's Office of Research & Standards (ORS) based on the information available at the time and following consultation with the Massachusetts Department of Public Health and an external advisory committee (Health Effects Advisory Committee) to review this recommendation before formally adopting it.

MassDEP's Office of Research and Standards continues to review new scientific data and health studies concerning PFAS and is in close communication with other federal and state agencies also working on actions to address PFAS contamination. Among the agency actions we have been considering even prior to receipt of your correspondence are:

- Review and revision of the current public health guideline as appropriate based on updated available information;
- Establishment of a maximum contamination level (MCL) for PFAS in drinking water regulations;
- Updating the hazardous waste site clean-up regulations, known as Massachusetts Contingency Plan, to include new Reportable Concentrations and cleanup standards for PFAS in soil and groundwater. (Note that MassDEP issued Interim Guidance on Sampling and Analysis for PFAS at Disposal Sites Regulated under the Massachusetts Contingency Plan in June, 2018).

In the meantime, MassDEP has worked closely with local communities affected by PFAS contamination in drinking water supply wells to provide technical assistance and direction. In Ayer, Devens, Hyannis and Westfield, wells with PFAS levels greater than the current 70 ppt guideline have been removed from service and/or the communities are investing in treatment for affected sources. In Ayer, Devens and Westfield, MassDEP has strongly advocated for the U.S. Department of Defense (DoD) to take responsibility for treatment systems where DoD facilities are the source of PFAS.

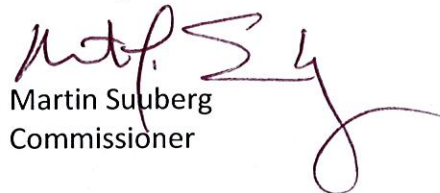
In partnership with the Department of Public Safety, MassDEP has identified stockpiles of legacy PFAS-containing firefighting foam and arranged for the collection and safe disposal of the foam at no cost to local fire departments. This take-back program eliminates future sources of PFAS contamination in groundwater. To date, 128,000 pounds of contaminated firefighting foam have been collected.

Pursuant to the provisions of 310 CMR 2.03, the department shall consider the petition at a meeting and shall have ten days after that meeting to notify the petitioner of the actions the department intends to take. As noted above, MassDEP is reviewing the petition now and will be back in contact with you shortly to establish a meeting date at which you will be invited to present or amplify upon the information provided to MassDEP.

Ms. Heather A. Govern
Ms. Sylvia Broude
November 5, 2018
Page 3

We look forward to meeting with you on your petition and will be in touch with regard to a mutually convenient date.

Sincerely,


Martin Suuberg
Commissioner

cc: The Honorable Maura Healey, Massachusetts Attorney General
Commissioner Monica Bharel, MD, MPH
Massachusetts Department of Public Health
Melissa Hoffer, Energy and Environment Bureau Chief, Office of the Attorney General
Benjamin Ericson, General Counsel, Massachusetts Department of Environmental Protection