

Transcript of October 15, 2021 Public Hearing on Amendments to 301 CMR 41: Toxic or Hazardous Substance List

The below transcript is based on Zoom's automated closed captioning service. Software audio interpretation errors have been corrected wherever possible based on the contemporaneous notes of TURA Program staff.

Tiffany Skogstrom:

OK. Welcome everyone, we're just waiting for a few minutes to allow everyone in the waiting room and... just give it one more minute.

We're going to go ahead and get started.

So, thank you for joining us today for the public hearing on the proposed amendments to the Toxic or Hazardous Substance List. Please note this meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2022 on the Current State of Emergency in the Commonwealth Due to the Outbreak of the 2019 Coronavirus known as COVID-19

This meeting will not be recorded; however, it is being transcribed to accommodate members and interested parties who are not able to attend today's event and also for public notice, or public hearing purposes of knowing what you're saying today.

Each of you will have three minutes to speak. If you run over the designated time slot you'll be able to finish after other people have spoken. You'll be asked to speak by raising your hand which is at the bottom of your screen. It's the raise hand function. You'll be recognized Kari Sasportas, and you will be, you'll be notified if you're getting close to running over that three minutes of time. And again, if you do run over that three minutes you'll be given an opportunity after other people have spoken.

So, there was one person who asked in advance to speak, but these of you who want to speak are welcome to start raising your hand. Do we have a Clint Richmond here?

Clint Richmond:

Yes.

Tiffany Skogstrom:

OK. Great. So... so please give us your testimony, Clint, you'll be timed, and Kari will let you know when that's up, OK?

Clint Richmond:

Thank you. I didn't know I was gonna be first. I got my notes here. OK. My notes are here, is my video visible?

Tiffany Skogstrom:

Yes, I can see you, but also if you'd prefer to have someone else go that's OK too. You're just the only person on the list in advance.

Clint Richmond:

I'm so used to the statehouse hearings where this—you know the protocol. So... My name is Clint Richmond. I'm on the Executive Committee of the Massachusetts Sierra Club. Thank you for the opportunity to speak. We are one of a group of environmental organizations and stakeholders who strongly support adding PFAS not otherwise listed to the list. With PFAS there's always a lot of discussion around what should be the appropriate definition. I'm sure we'll hear that from other speakers. But, at a minimum, we think that the definition should follow the OECD definition [...] that's been adopted in many other states either as law or as proposed law, such as the one here in Massachusetts, of one fully fluorinated carbon atom.

But, you know, so, that's the minimum. But the Sierra Club, speaking just for ourselves here, would suggest that the occupational and environmental risks stem from organofluorine chemistry itself, and that this chemistry is based on a couple of substances that are already on the TURA list – hydrofluoric acid and hydrogen fluoride, and the common theme is carbon-fluorine, either chemicals or degradations, which are generally persistent. So, it's that persistence that really is the, is one of the distinguishing factors for all chemicals that should be considered PFAS. And so that would also include fluoropolymers because they are equally persistent. They may have a different [...] in liquids, but – and they may have different properties, but that one common denominator is extremely important, I think, for this body. Just consider the other thing is that, you know, these are often hazardous – at least, insofar as we know today, in very, very small quantities. So, even if we're talking about microplastics from fluoropolymers, or parts per trillion for, you know, trifluoroacetic acid, you know, we need to be aware of that, and monitoring and preventing it if we can. We don't—we don't want to introduce a burden to the environment with large volumes of synthetic chemicals that are going to persist forever, whether it's in the water or the atmosphere. So—so we would suggest actually that all polyfluorinated alkyl substances be brought under this regulation—in other words, the full definition of PFAS, including difluoroethyl moieties. And so that's where I would stop here for today, but for future consideration, I think we should also be looking at non-alkyl fluorinated substances, either alkenes or phenyl groups – difluorophenyls. Benzene is already on the TURA list [...] so, the fluorinated variants are only more problematic. So, with that, I think I will, I'll conclude.

Tiffany Skogstrom:

Thank you for your comments. Kari, who's up next?

Kari Sasportas:

Sure. Kevin Conroy, please.

Kevin Conroy:

Good afternoon. My name is Kevin Conroy. I'm a partner at the law firm Foley Hoag in Boston. I represent the American Chemistry Council. We have submitted written comments as well, and my comments will be brief today. The ACC opposes adding PFAS NOL as a high hazard category on the Hazardous Substances List for two reasons. First, adding these categories violates the TURA statute. The statute is very clear: no more than ten substances may be added in a calendar year. Through this proposed change, the Council is voting to add more than 1000 substances to the list. The agency has attempted to address this by adopting a regulatory change, or adding a new regulatory term, "substance." But you can't add a regulatory substance—you can't add a regulation, make a regulatory

change that violates the statute, and that definition of substance violates the statute. The statute is very clear. Its purpose is to avoid regulatory burdens. And this is adding a [...] if enacted would add a very significant regulatory burden to companies across Massachusetts. Thousands of substances have been added to the hazardous list. And that's in direct contravention of what the statute says.

Secondly, the ACC wants to note that the administrative process to adopt this regulation was flawed. Only after a robust and dynamic process for discussion and input. This process did not—the process that led to where we are today did not have those traits of a robust and dynamic process. There was a failure to provide periodic opportunities for the public to comment on these regulations and to comment on these changes. There was a failure to consider the electronic comments that the various members of the public gave his part of this process. What happens when you don't have a dynamic process is that you have decisions that are not based on the science. And that's what we, that's what we have today.

Thank you for your time. I appreciate the opportunity.

Tiffany Skogstrom

Thank you, Kevin. I will just note, Kevin, I did not receive written comments from you yet, so unless they came in underneath someone else's name, if you could please send them to me, that would be great.

Kevin Conroy

The comments are not under my name, thank you for raising that. The comments are not under my name, they came under the name of Margaret Gorman with the ACC.

Tiffany Skogstrom

Okay, I don't know that those came directly to me by email, because I didn't receive anything from Margaret, unless it came in, like, right before this meeting. So, please make sure they get to me before 5pm today.

Kevin Conroy:

We will make sure that happens. Thank you [...] were sent today, just as FYI, we had a read receipt so we can follow up.

Tiffany Skogstrom:

OK. OK, so, Kari, who do we have next?

Kari Sasportas:

Sure. Next is Silent Spring Institute, Summer-Solstice Thomas, please.

Summer-Solstice Thomas:

Hi everyone. I would like to begin by thanking the Executive Office for Energy and Environmental Affairs for providing this opportunity for critical stakeholders to comment on the proposed amendments regarding chemical classification. My name is Summer-Solstice Thomas and I'm here on behalf of Silent Spring Institute, as mentioned, and we are an independent research organization that investigates links between the environment and women's health. We currently have three federally-funded research

studies related to the exposure and health effects of PFAS, and we are part of a group of researchers at Northeastern University that investigates the development and efficacy of PFAS regulations. The proposed amendments here today, including the [...] PFAS not otherwise listed, are critical to ensuring harmful effects of pollution can be better controlled and monitored, and I'd like to share some key points based on our research and other published scientific studies.

So, the first point is that PFAS exposures have been linked to a wide range of health problems and diseases. These include multiple types of cancer, hormone disruption, and reproductive, developmental, and [...] toxicity. In fact, a growing body of evidence is also raising concerns about newer PFAS that which are not part of the individual PFAS already listed [...].

Second, as mentioned by the Sierra Club representative , PFAS are highly persistent, often referred to as forever chemicals, and mobile in the environment, and must be managed accordingly. The associated hazards and persistence of PFAS points to the critical need for these amendments, which list PFAS as a group. According to the EPA, there are 9000 compounds, which means it's simply impossible to evaluate the toxicity of each one and report on them all individually. The proposed amendments at hand would give the public and regulators concrete information to help inform actions. And finally, this listing of PFAS as reportable substance under TURA is strongly supported by the scientific community. These amendments are the result of several years of scientific deliberation by TURA's Scientific Advisory Board, and TURA's Administrative Council unanimously voted in favor of amendments after reviewing the Toxic Use Reduction Institute's Policy Analysis. I hope you will take the scientific information into consideration as you consider the proposed amendments. Thank you.

Tiffany Skogstrom

Thank you. Thank you, Summer-Solstice. Kari, who do we have next?

Kari Sasportas:

Next is Laura Spark, please.

Laura Spark:

Hi, my name is Laura Spark. I am a Senior Policy Advocate at Clean Water Action, and I am also speaking on behalf of 24 organizations—environmental, public health, and sustainable business groups—who will be submitting a written comment as well. We strongly support the listing of PFAS Not Otherwise Listed as a class on the state TURA list, and we would vigorously oppose any efforts to limit reporting to a subset of PFAS. Throughout the country, states are regulating PFAS as a class, while their individual variations and PFAS chemistry [...] carbon-fluorine bonds, as everyone on the call knows, making them among the most persistent chemicals ever created. TURA has spent three and a half years studying the science, presenting information to the Advisory Council, of which I am a member. And the TURA Administrative Council decided unanimously to add PFAS Not Otherwise Listed to the TURA list. We would disagree with the comment made earlier, that—that there was not ample opportunity for public input. It was a three-and-a-half-year process. We thank the Administrative Council, Science Advisory Board, and staff at TURI for doing all of the research to document the harms of certain PFAS chemicals.

And we would not agree with the statement that adding the definition of substance to this is contrary to the intent of the statute. The intent of the statute is to protect public health. There are 9000 chemicals in

this category. Arguing that we cannot address an emerging need because of the limitation on 10 per year by adding language is contrary to the intent of the statute, and certainly regulations are adjusted over the years, as, as information and science comes forward.

We also believe that PFAS should be listed as a Higher-Hazard Substance and the reporting threshold lowered to 100 pounds per year. These chemicals are persistent, bioaccumulative, and toxic at very low levels. And that is exactly the kind of chemicals that should be listed on the Higher Hazard Substance list.

One other thing: We would agree with the Sierra Club, that the Administrative Council should broaden the proposed definition of PFAS.

Kari Sasportas

Your three minutes is up. Okay. Thank you. Next we have Shawn Swearingen.

Tiffany Skogstrom

Great. Welcome.

Shawn Swearingen

Thank you for having me and for the opportunity to testify this afternoon. My name is Shawn Swearingen, Engineering Director with the American Chemistry Council. We do have written testimony has been submitted on behalf of Steve Korzeniowski. I just want to start off that we oppose the proposed amendment as structured. The fundamental flawed principle behind this vote that all PFAS compounds are treated as the same, and they are all toxic or hazardous and we go into this, specifically within the written testimony. We strongly oppose the concept [...] the group as one and regulate as a class. The compounds, including the number of compounds covered by this evolving definition has changed over time. And as the number of compounds covered increasingly with new definitions [...] reviewed recently published this year in May in Integrated Environmental Assessment and Management [...] that the number of commercially evolving compounds is more likely in the hundreds, not into tens of thousands. This means that we can assess the compounds by classic risk assessments, rather than a group one, which singled out this proposed vote notion that all these compounds are the same, because they have the same bond [...] is a deeply flawed concept. Look at the diagram that we have included in our written testimony. Further evidence. One example of this would be fluoropolymers. Fluoropolymers have material properties with the CF and the large stable [...] molecules. They are too large to cross biologic membranes. Many of today's polymers meet a set of Polymer of Low Concern criteria which indicate an extremely low concern for those for nanomaterials [...] use and products and systems. Again, not all PFAS are the same. Very different properties and often critical and essential functions and benefits. For polymers again, as a PLC, Polymer of Low Concern when assessed opposite the published criteria, meet the test and need to be considered separately and not lumped as one. For these reasons, we strongly oppose the PFAS NOL vote. Thank you for the opportunity to speak. The concepts, as we've heard in written testimony, and over the course of the hearings, of all PFAS being hazards and toxic, are simply not scientifically sound.

Tiffany Skogstrom

Thank you.

Who's next? And just a reminder, please make sure that you all get your testimony to my email address, if you haven't sent it yet, before 5pm. Thanks. So, Kari, who do we have next? All right, um, Kari's Zoom just stopped. So I guess I see two hands up and I'm not sure which of them was first, so I'm going to ask, Mary Cordero to speak and then Katherine Robertson. Please, if you could unmute yourself, Mary.

Mary Cordero

Yeah, thank you so much for this opportunity. My name is Mary Cordero and I'm the Eastern Massachusetts Community Organizer with Community Action Works, formerly Toxics Action Center. At Community Action Works, we believe that environmental threats are [...] We partner with people who are most impacted by environmental problems, train them with the know-how anyone would need to make change in their own backyard, because we know that when people know how to make change, they can build the power to transform our world. And we've worked with dozens of communities who have been affected by PFAS contamination. We support adding these PFAS to the TURA list of Toxic or Hazardous Substances and appreciate the extensive scientific review that the Toxic Use [Reduction] Institute and Science Advisory Board undertook prior to listing. At Community Action works we have worked with community groups fighting PFAS contamination since 2016, and we currently co-facilitate the National PFAS Coalition, a national network of over 40 community groups from across the country fighting PFAS contamination in their communities. PFAS are known to cause kidney disorders, cancers, reproductive disorders, and much more. PFAS chemicals are designed to not break down, meaning that their contamination will now stay for thousands of years. Placing PFAS on the TURA List is a necessary first step that will help state officials better understand how and where PFAS is being manufactured and released in Massachusetts.

However, we recommend that additional steps be taken immediately to protect the health of Massachusetts residents. First, we recommend that Massachusetts expand the proposed definition of PFAS. In this current proposed amendment PFAS is defined too narrowly. A broader definition of PFAS that includes more types of PFAS will be more protective of public health and the environment. Neighboring states of Vermont, New Hampshire, Maine and New York all defined PFAS as , quote, "the class of organic chemicals containing at least one fully fluorinated carbon atom," end quote. Additionally, the proposed Massachusetts bills are also using this definition. TURA should also use this language for regulatory uniformity.

Second, we recommend lowering the reporting thresholds. PFAS chemicals are extremely toxic to human health and the environment, even in small amounts. The TURA program requirements call for reporting if a facility manufacturers or processes 25,000 pounds per year, or otherwise users 10,000 pounds per year. A lower reporting threshold will be more productive to public health and the environment.

And third, TURA must move with urgency to add PFAS to the list as soon as possible. Massachusetts residents have been impacted for far too long by this—these toxic, manmade chemicals—and we must protect Massachusetts families and move quickly.

Tiffany Skogstrom

Thank you. So, next is Katherine Robertson.

Katherine Robertson

OK, thank you very much, Tiffany. On behalf of the Massachusetts Chemistry and Technology Alliance, I want to thank you for the opportunity to comment on the proposed amendments to 301 CMR 41, Toxic or Hazardous Substance List. MCTA is deeply concerned about the unintended consequences of these amendments as drafted. MCTA is a professional organization representing the manufacturers, users, and distributors of chemistry in the Commonwealth. Our members range from small multi-generational family-owned businesses operating with a handful of employees to large global concerns. Our members are located throughout the commonwealth and rely on us to be their voice with regulatory and lawmaking bodies.

On August 19, 2021, the Administrative Council voted to add a definition of “substance” to the TURA regulations. It should be noted that the process for the proposed amendment bypassed the TURA Program’s usual stakeholder process, and was referred directly to the Administrative Council for a vote. The proposed amendment is overly broad and lacks clarity and specificity to provide any guidance to the regular community. The language, as written, states that any agent or material that share any identity—making air quotes here—any similar identifiable characteristics will be considered a single substance. The repeated use of the term “not limited to” strips the language of any meaning and of any use to the regulated community. In essence, it says anything can be included in any grouping as a single substance that can be listed under TURA. MCTA is also opposed to the inclusion of “any agent or material that share physical characteristics”—again, air quotes, i.e. size, shape and weight et cetera, regardless of chemical formula or identify. In the definition, conceivably thousands of different chemicals and materials could be swept under the TURA list as a single substance due solely to their shared physical characteristics.

MCTA would also like clarification of what is meant by “chemical manufacture,” and why it provides justification for listing as the substance’s chemical manufacture. The point of origin? The process used? The company manufacturing the agent or material? This is unclear as written. The potential proposed definition has no meaning, is of no use as guidance to the regulated community. On the surface that appears to be an attempt to list substances for reasons other than particular chemical functionality or identity.

The Administrative Council also voted to add the definition of PFAS to the list. Please note that the MassDEP is proposing that the listing of PFAS NOL category be reflective for the calendar year reporting year 2021. However, the law requires that any addition or deletion of a substance will take place, the calendar year immediately following the year in which the addition or deletion is codified. Since the PFAS category is not listed as Toxic and Hazardous Substances currently subject to the TURA law, we’re not tracking it. In fact, as TURA has acknowledged, many companies are unaware that any of the thousands of PFAS chemicals defined in the proposed amendments are present in their products and processes, because suppliers don’t list them as PFAS on material.

Tiffany Skogstrom

[Informed speaker that three minutes had elapsed]

Katherine Robertson

Thank you. I’ll pick up in a couple minutes. OK. OK. Thanks. Thanks.

Tiffany Skogstrom

Okay. Yeah, it's, uh, three minutes is up, however, sorry, however, you'll be able to speak more after the next person. We're giving everyone three minutes. Kristen Mello's hand is lifted, if you could unmute yourself please.

Kristen Mello

Thank you so much... I can't turn on my video because I have a remote learner in the next room and I will mess up math. So I just want to say thank you very much for giving me the opportunity to speak. My name is Kristin Mello, I am the co-founder and director of WRAFT, Westfield Residents Advocating For Themselves. We're a group of friends and neighbors and family that joined in my living room. A few years ago, when we realized that the water we've been drinking for decades had been poisoned with PFAS. We are the Hampden County community whose blood levels were listed in the policy document that you were so great to put together. And I just want to note that I haven't heard from any other speaker today that they were from an impacted community or had their blood tested for this. And so when I say I'm speaking as a stakeholder, I mean I fed this water to a growing infant and to growing children, and I am a direct stakeholder. I am directly affected in the town of Westfield, in the city.

We support these amendments. We support these amendments tremendously. We think this is a great, tremendous next step toward protecting our right to know, toward honoring our rights to clean air and clean water, as listed in Article 97 and the Constitution. It is far more important to honor those rights and adapt this regulatory document and make future amendments when the chemical companies prove that their polymers are safe. I believe that we should have the broadest possible definition of for these manmade chemicals that do not belong in our air and our lungs, in our bodies, that are immune system toxic things that make it harder for us to fight COVID. Westfield has a higher number of deaths. We are hurting out here. We don't even know if getting the vaccine works because we know that people who have high PFAS exposure have a problem with making antibodies to vaccines. And so keeping a very broad definition of PFAS and a very low—100 pounds? Let's make it 10—very low reporting threshold. This is not a regulatory action. This is a reporting action. This is our right to know. And it is not the company's right to discharge until it's proven that it's toxic. It is our right to dean air and water. And that's what these regulations are about. And I will submit written comment but I—after hearing what I heard today I just, as a community member, had to speak up and raise my hand. So thank you very much for the opportunity to comment. Thank you very much.

Tiffany Skogstrom

Thank you. If you don't mind, muting yourself please.

Kyla Bennett, PEER

Sorry about that. Thank you so much. My name is Dr Kyla Bennett, I'm with Public Employees for Environmental Responsibility. I'm the Science Policy Director there. I agree with all of those who have spoken so far, regarding the definition of PFS as one fully fluoridated carbon. I also agree with much smaller reporting thresholds. Keep in mind that PFAS is regulated in parts per trillion. California is attempting to regulate in parts per quadrillion. So when we're talking thousands of pounds we're talking about an awful lot of PFAS. We cannot afford to do that.

I also want to point out, I wasn't planning on talking today but hearing from the ACC and other industry representatives really made me want to speak out because they need to read the writing on the wall. EPA is the CompTox list has 9252 PFAS. We are playing whack-a-mole with these compounds. We cannot afford to be regulating them one at a time. Chemours has a billboard outside one of their factories that says, Let's change the formula. Every time a state comes in and regulates one of these compounds, they just tweak the formula and put another one out on the market. And you're telling me that they are, some of them are okay, there are good PFAS? There's no such thing as a good PFAS, as far as what I've seen. And in fact, as far as the gentleman from ACC who talked about fluoropolymers as being safe, I would point you to the 2020 article written by Jamie DeWitt and Ian Cousins and a lot of other very, very world-renowned PFAS scientists who say there are serious concerns regarding the toxicity and adverse effects of fluorinated processing aids on humans and the environment. A variety of other PFAS [...] are emitted during the production, processing, use, and end-of-life treatment of fluoropolymers. We cannot afford to talk about unintended consequences of regulating these compounds, which cause cancer—they're linked to cancer, they're linked to immune problems, developmental problems, all sorts of issues. We applaud TURA for trying to do this and we support everything that you're doing. Thank you.

Tiffany Skogstrom

Thank you. Do we have any more hands?

Kari Sasportas

Elodia Thomas. Thank you.

Elodia Thomas

Can you hear me? OK, thank you very much. I'm from Watertown, Massachusetts. I did write in a letter to you, Tiffany. I am extremely disturbed by the PFAS issue for one major reason. Our state is being carpeted with artificial turf, which is known to release PFAS into the air and into the ground. I had somebody in my town management say it's not a big deal in Watertown, because the field is far enough away from the river so it won't contaminate the river. If this is kind of thinking we have in town government, I am truly concerned for every other community in this state. I now read an article in the Boston Globe that they plan to put an artificial turf field by the Esplanade and they think this is really great. So while these chemicals are there, we have to take a broader picture, an environmental picture and a health picture of what we are doing. So far I knew only know two communities that have banned it altogether, which is Westport, Connecticut, and Hartford, Connecticut. I'm not sure where to address this within the state legislature, but all the people that have spoken out against this material, I would love to have your name, so I hope that's going to be available afterwards. And just so you know, there's a huge [...] report about the EPA whistleblowers that have been talking about all the doctrine that is going on about EPA results. So if we're counting on EPA to guide us into the future, I think that is a lost cause right now. A lot of things have happened in the last few years. It is on the state to take the lead. And as a small community I've been fighting this for close to 10 years, and I need help, so my email address if anybody wants the resources and the letter that I attached is elodia.h2otown@gmail.com. I certainly would like to talk to anyone who's concerned about these issues, and thank you for allowing me to speak.

Tiffany Skogstrom

Good, thank you so much. Do we have a next speaker?

Kari Sasportas

I don't see any other hands at the moment.

Tiffany Skogstrom

OK, so just as a reminder, if you haven't submitted your, your testimony to me, please do. So, I see Katherine Robertson, I will—I'll put your hand down and go ahead and unmute yourself.

Katherine Robertson

Yeah, I just wanted to wrap up the comments that I was making earlier, you said I could talk at the end. So I mean basically what I was saying as far as the listing of the category of chemicals, this was solely to do with process here. And you know, as I was saying since the PFAS category was not listed as a toxic or hazardous substance, companies subject to the TURA law were not tracking it during this calendar year. And the way they've written it would be in effect for this—they'd have to report for use this calendar year. And, you know, as we discussed many companies aren't aware that they're using any of these chemicals because the, they're not listed on their SDS sheets. So I think it's important that that be changed so that they're not, it doesn't become effective this year. And, you know, [...] and I'll be sending your comments later today, but by you know imposing this definition this year would really put an unnecessary burden on the regulated community.

And I did want to point out for a lot of people that are at this hearing that they should note that only a fraction of chemical users in the Commonwealth are impacted by the proposed definitions, while many others are statutorily exempt. The TURA law identifies subject companies by SIC code while exempting a host of other commercial institution and municipal users. The subject companies, many of which are small, locally-owned operations will pay for implementation, education, outreach grants, and technical support to exempt facilities, municipalities, and nonprofits, and then the statutorily defined operations will also be the only facilities subject to reporting and enforcement. And in short MCTA comments that the proposed definition is overly broad and lack specificity. This is the first definition. It is punitive and poses an undue hardship on a small universe of statutorily defined facilities in Massachusetts. So, I thank you very much for allowing me to finish up, and I'll be submitting these to you by five o'clock today. Tiffany, can I ask a quick question or process question.

Tiffany Skogstrom

If you'd like to submit a question by email—right now is a public comment. But if you submit a question by email one of us would be able to get back to you. So, right now, it's just the public comment in the public hearing process...

Katherine Robertson

I just want to know what happens next, do that in the chat or....

Tiffany Skogstrom

No, no, you should write that in an email and one of us will get back to you by 5pm today. Did you have another question, Kathy I see your hand is raised? I'm just going to lower it.

Connie Glore

Hi. I was not going to present today, and everybody that has spoken has pretty much said what would have been in my prepared comments. But I would like to present some information that came from the Environmental Working Group's recent teaching on PFAS, if I could.

Tiffany Skogstrom

Yes, go ahead.

Connie Glore

Okay, great.

Tiffany Skogstrom

This is a public hearing process not, it's not a question?

Connie Glore

Okay. Yeah, it's, um, it's what I want to present, that's a little bit, other than what I've heard today, if that's okay. On PFAS.

Tiffany Skogstrom

Yes, go ahead.

Connie Glore

Great, thank you so much. So my name is Connie Glore, and I am a member of an environmental group in North Andover, Massachusetts, and our group looks a lot at climate. Recently, trying to get a bead on PFAS, and one of the questions that I would ask—it's not a question, one of the concerns that I have today is where in all of this are we talking about this unmeasurable thing that occurs with PFAS—that is, this loss of an essential piece that comes from a from a healthy community. And once that is lost, what is ongoing health issues, which ultimately pollution from PFAS something that someone...

Tiffany Skogstrom

I'm sorry, there's a lot of background noise if I could ask other people to mute, please.

Connie Glore

Appreciate it.

Tiffany Skogstrom

Go ahead. Yeah.

Connie Glore

Okay, that's great. Um, so, the EPA has known since 1998 about PFAS, and in the meantime, there are many studies that do show that it accumulates in our bodies, and that it is spread through throughout the world now and that has been found in 100% of tested rivers and in 97% of human bodies. So then there's that other aspect of once groundwater has been destroyed, so are your property values, which is

another measurable thing that should be taken into account. And then there's the immeasurable sense of loss that an individual named Mr Stone, a dairy farmer up in Maine, must be feeling after he bought a dairy farm and used sludge to fertilize the field, and now he has completely closed his dairy. He has parts per trillion of, and his family does, have PFAS in his body. So, you know, we, it's important to be guided by science. And, you know, science is telling us it is in our foods it's in our packaging, it is in our cosmetics. And many states have, some states have banned it in food packaging: Maine, Vermont, Connecticut, New York have done that already. And the problem is there's no transparency to what is occurring. There's a lot of greenwashing to make us feel as if there's not a problem. And one of the gentleman that did speak at the Environmental Working Group talk was the president of the International Association of Firefighters in Boston. And he says that occupational cancer is the number one killer of firefighters, that their gear is poisoning them. So, you know, in terms of the environment, another tremendous loss in terms of our natural resources, as we poisoned the ground and water, we're also just we're destroying the habitat for many, many other creatures, it's not just a human loss. So that's what I'd like to say today and thank you so much everyone for participating. Thank you.

Tiffany Skogstrom

Thank you. So, we have someone who just joined. If you'd like to submit testimony, please raise your hands. If not, we'll be accepting written testimony at my email address which is on the screen tiffany.skogstrom@mass.gov until 5pm today. Thank you.

OK, we have about 13 minutes left until we conclude. So, if you'd like to say anything, just please raise your hand. And please also be sure to submit your comments to tiffany.skogstrom@mass.gov before 5pm today.

So I see Silent Spring institute, and then Elodia Themas, if you could unmute yourself. Silent Spring Institute first.

Summer-Solstice Thomas

Hi. Again, this is silent Spring Institute and we are a Massachusetts based research organization that studies the health effects of PFAS and we publish several scientifically peer-reviewed research articles about this every year. I just wanted to extend my testimony here and address the points made by the American Chemical Council and the Massachusetts Chemistry and Technology Association.

Tiffany Skogstrom

Say your name?

Summer-Solstice Thomas

Yes, sorry. My name is Summer-Solstice Thomas, and I'm a scientist here with Silent Spring Institute. And again, we're a Massachusetts-based research organization. So, I just wanted to extend my testimony here and address the points made by the American Chemical Council and the Massachusetts Chemistry and Technology Association, about private industry feeling overly burdened about the idea of reporting on PFAS Not Otherwise Listed. I just wanted to talk about the idea of burden here. On one hand, we and other researchers are taking blood from thousands of children and adults, trying to discern their health effects, because of their consumption of the PFAS-containing drinking water and other PFAS exposures. So, it seems like reporting use of these toxic, persistent, and mobile chemicals is

not too much to ask from private industry to prevent these taxpayer dollars that are being funneled into the study system to study the health effects and the health burden on these communities. Truly, the folks who are overly burdened here are the ones with contaminated air, water, and bodies. So, I really want the Council here to take this into consideration, who is being burdened by these chemicals when they're not reporting and they're released into the environment. Thank you.

Tiffany Skogstrom

Great, thank you. And Elodia Thomas, you're next.

Elodia Thomas

Thank you very much. At least one person has contacted me from this meeting, which I'm really excited about. I'm hoping—is there an easy way that we can get a list of the people that testified? I haven't done this before so I'm a little—I'm a neophyte at all this and then I just have one more statement to make. I'm very passionate about this issue, as you can tell, and the state has to take the lead because cities and towns are being overwhelmed by these manufacturers who have amazing sales pitches for this turf. And the reason why the state has to do it is because of the precautionary principle, which dictates that when an activity threatens to harm human or environmental health, precautionary measures should be taken, even if some cause-and-effect relationships are not fully established scientifically. We've seen over the years numerous times where industry pressure clouded cause and effect on a potentially threatening product to allow it to continue to be sold—asbestos, lead paint, tobacco, various pesticides, herbicides, and Monsanto's herbicides including Agent Orange and Roundup are notorious examples. I just want you to please note that Monsanto was the original manufacturer of synthetic turf. So the time to act is now. We are facing climate change, we're facing chemical pollution of our environment through plastics, through PFAS. I just don't understand why more people aren't upset about this. I realize we're going through COVID and everything else, but I really really would love to see the state take really strong action. Let Massachusetts lead. So, thank you very much again. And would it be possible to answer my question about how we could find out who was in the meeting and will the video be available, or the recording?

Tiffany Skogstrom

So, this is not being recorded, there is a transcript, which everyone should be able to see, and this is part of the public documents or the public comment period, is part of the public documents. So, that's the only questions I'll be able to answer.

Elodia Thomas

OK, thank you very much, I very much appreciate that you held this hearing.

Tiffany Skogstrom

Thank you.