KATHLEEN M. RICE
4TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
1508 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5516

DISTRICT OFFICE:
300 GARDEN CITY PLAZA, SUITE 200
GARDEN CITY, NY 11530
(516) 739-3008

WWW.KATHLEENRICE.HOUSE.GOV

Congress of the United States
House of Representatives
Washington, DC 20515-3204

COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEES:
RANKING MEMBER, TRANSPORTATION SECURITY
EMERGENCY PREPAREDNESS

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June 6, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

I want to thank the Environmental Protection Agency (EPA) for recently taking action to update the Provisional Health Advisory Level for lifetime exposure to perfluorooctanoic acid (PFOA), a highly toxic chemical that, until recently, was used in vast quantities in the United States to make a wide array of consumer and industrial products, and has been linked to many adverse health effects, including cancer, hormone disruption and heart disease. Setting the safe level of PFOA in public drinking water at 70 parts per trillion (ppt) is a significant improvement on the previous level and is certainly a positive step forward. However, new scientific research has suggested an "approximate" safe level for PFOA exposure of 1 ppt, and data calculated by the Environmental Working Group (EWG) yielded an approximate safe level of 3 ppt – both of which are significantly lower than the EPA's current advisory level. Given these findings, I urge the EPA to continue to set stronger, legally enforceable standards for PFOA exposure.

There is alarming new evidence that PFOA contamination of public drinking water poses a much greater risk to public health than previously believed, and is now a widespread threat to communities across the country – including in my home state of New York, where residents in Hoosick Falls and Petersburgh have been exposed to elevated levels of PFOA in public drinking water. And in my congressional district in Nassau County, the Town of Hempstead Water District, which serves 110,000 residents, was one of 94 water districts in 27 states found to have levels of PFOA. The *New York Times* has reported that in Nassau County, the concentration of fluorochemicals in the water is even higher than that in some water districts that were included in

a class-action lawsuit against the DuPont chemical company, which used PFOA in the manufacturing of Teflon. PFOA contamination clearly poses a threat to the health and safety of residents in my district and in communities across the country, and we must act quickly and comprehensively to address this problem.

While the EPA's new advisory levels establish guidelines for water utilities and state environmental and health agencies, they are not enforceable. Safeguarding public drinking water requires the EPA to set a strict and enforceable limit on PFOA concentration. The recent passage of the TSCA Modernization Act, the first comprehensive reform to the primary chemical safety law in the United States in 40 years, is a significant step towards promoting more active EPA testing and risk evaluation of new and existing chemicals. The less burdensome safety standard, which focuses more on a chemical's risk to human health and the environment, paves the way for EPA to implement an enforceable, regulatory standard for safe levels of PFOA in drinking water.

Congress passed the Safe Drinking Water Act (SDWA) in 1974 to protect public drinking water supplies, and vested the EPA with the authority to set federal standards for drinking water quality. In light of the new science available, PFOA poses the exact type of health hazard that requires the EPA to establish an enforceable limit under the SDWA: (1) it is a contaminant that is likely to cause harm to the public; (2) it is widely found in water supplies at levels associated with adverse health effects; and (3) creating a limit would present a "meaningful opportunity" for EPA to improve public health.

In light of the expanding body of evidence that identifies PFOA in drinking water systems as a serious threat to public health in communities nationwide, I urge the EPA to take immediate action to set legally enforceable limits on PFOA under the SDWA. Additionally, I urge the EPA to continue investigating, collecting and analyzing data to determine what other communities may be at risk for PFOA contamination in drinking water, and to identify and remediate the sources of water contamination.

Sincerely,

Kathleen M. Rice

Kathleen M. Rice
Member of Congress