

# United States Senate

WASHINGTON, DC 20510

July 12, 2018

The Honorable Andrew Wheeler  
Acting Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Acting Administrator Wheeler,

As you take on your new responsibilities as Acting Administrator of the Environmental Protection Agency (EPA), we write to voice our continued concerns on an issue that is particularly critical in our home state of New Hampshire but is also impacting communities across the country.

As you know, per and polyfluoroalkyl substances (PFAS) contamination in drinking water continues to be a serious health hazard. Once used for a variety of commercial and industrial applications, PFAS chemicals have been associated with birth defects, various forms of cancer and immune system dysfunction. While EPA has established drinking water health advisory levels for two PFAS chemicals, perfluorooctanoic acid or perfluorooctanesulfonic acid, there is a critical need to better understand and address any potential adverse health effects these contaminants may have on our communities and to continue evaluating existing standards.

We have written former Administrator Pruitt many times to object to agency actions we believe would stymie EPA's ability to effectively regulate PFAS materials under the Toxic Substances Control Act, or promulgate new drinking water health advisories or standards for PFAS chemicals, as required by the Safe Drinking Water Act. Further details can be found in the enclosed correspondence. Furthermore, we are deeply troubled by reports that EPA officials intervened in order to delay the release of toxicological studies conducted by the Department of Health and Human Services (HHS) Agency for Toxic Substances and Disease Registry concerning the health effects of four PFAS chemicals.

As the lead federal agency tasked with protecting human health and the environment, EPA must reassure Americans that the agency's decisions are in their best interest and not a result of industry pressure or political influence. As you step into your new role, we request that you take the appropriate steps necessary to understand and address the PFAS contamination problem facing the nation.

We also urge you to continue EPA's initiative to develop a PFAS Management Plan that will improve the characterization of risks from these chemicals, refine PFAS monitoring and remediation techniques and support the work being done at the state and local levels to address

widespread contamination. In doing so, we encourage you to provide additional community engagement forums on PFAS, similar to the one held last month in Exeter, New Hampshire. Incorporating the concerns and recommendations voiced during these meetings will be integral to ensuring that federal policies on PFAS have positive state and local effects.

It is imperative that the change in leadership at the EPA does not interrupt the agency's efforts to protect our citizens from further contamination, efforts that still need to be strengthened, expanded, and accelerated. We respectfully request that you respond to the following items within thirty days. Please provide:

- A clear description of how you plan to improve the EPA's response to PFAS contamination;
- A plan for how your agency will build on its recent efforts — which included a PFAS Summit in New Hampshire—to make the EPA and yourself available to Granite Staters as they address the impact of these contaminants;
- A plan for EPA's further community engagement in New Hampshire so that Granite Staters can have direct input and the opportunity to have their voices heard;
- A description of what is being done to advance solutions to this challenge that considers the entire class of PFAS and not just individual chemicals;
- A further description of what EPA is doing to, in its words, to begin “the necessary steps to propose designating PFOA and PFOS as ‘hazardous substances’ through one of the available statutory mechanisms, including potentially Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 102.” This description should include your estimate of when the EPA will make such a determination.

Thank you for your attention to this matter. We look forward to hearing from you about what next steps EPA will take to protect New Hampshire and our country from PFAS contamination.

Sincerely,



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Margaret Wood Hassan  
United States Senator



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Jeanne Shaheen  
United States Senator

Enclosures