Dear Chairman Christensen and Members of the Committee,

Thank you for the opportunity to comment on these bills related to poly- and perfluorinated substances (PFAS) in New Hampshire waters. PFAS are a significant concern, and those of us in the water quality profession are taking proactive measures to address them using the best available science. However, looked at objectively, PFAS is not the greatest threat to public health facing New Hampshire, despite the sheer number of PFAS bills you see before you.

With regards to many of these PFAS bills, which push DES and water management systems to adopt and meet certain standards, we note the following facts:

- There is much uncertainty and limited data for risk assessments to establish standards for all PFAS, although there is getting to be ample data on the fate and transport of PFOA and PFOS, the two chemicals of most concern.
- PFOA and PFOS have been mostly phased out in the U.S., the EU, and Canada. Already, over the past 15 years, PFOA and PFOS levels in human blood have declined 60% (CDC NHANES, 2015). In other words, U.S. human exposure is already way down. That alone is improving public health protection dramatically.
- Most other states are not jumping ahead on setting standards; very few have done so. All are working appropriately to address high-contamination sites.
- These bills distract from DES’s ongoing good work addressing the hotspots of PFOA and PFOS contamination (industrial, military, and landfill sites).
- DES is using the 70 ppt as a groundwater standard and a de facto standard for other waters now, already. That is working. Let them continue their ongoing efforts.
- We all have many other exposures to PFAS chemicals. Are those exposures being addressed?

- The cost implications to localities of setting additional standards are significant and need to be considered. How much will spending money on this improve public health? We have no idea. In contrast, we do know spending money on some other public health threats will have large impacts.
- If the Legislature is so concerned about PFAS, why is no one talking about banning their use? That would be the only way to keep them out of the environment.
- Having the Legislature dictate which emerging contaminants should be regulated and when and how is not an appropriate approach to addressing a highly technical topic with considerable uncertainty and challenging risk analysis.
On behalf of our New Hampshire municipal members, I urge you to consult carefully with water quality professionals and DES on how best to address PFAS going forward. It’s time for a thoughtful approach, not battles in hearing rooms. DES and the health department have taken important initial steps to address the most urgent public health concerns related to PFAS, and that work is ongoing. House Bill 485, which passed the House last week and will hopefully soon become law, provides additional important resources and measured actions. Let’s consider appropriate next steps, not dictate to DES and municipalities what their priorities and actions should be. There are many perceived risks to water quality and public health, and thoughtful prioritizing of how PFAS fits into the mix is needed.

Please vote to ITL these three bills.

Thank you for this opportunity to share our thoughts.

Sincerely,

Ned Beecher
Executive Director

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The North East Biosolids and Residuals Association (NEBRA) is a 501(c)(3) non-profit professional association advancing the environmentally sound and publicly supported recycling of biosolids and other organic residuals in New England, New York, and eastern Canada. NEBRA membership includes the environmental professionals and organizations that produce, treat, test, consult on, and manage most of the region’s biosolids and other large volume recyclable organic residuals. NEBRA is funded by membership fees, donations, and project grants. Its Board of Directors are from MA, ME, NH, VT, and Nova Scotia. NEBRA’s financial statements and other information are open for public inspection during normal business hours. For more information: http://www.nebiosolids.org.