



April 19, 2024

I applaud the EPA for designating PFOA and PFOS as hazardous substances under the Superfund law. This is a big step forward in the fight against toxic pollution by these extremely toxic chemicals. For far too long, polluters have gotten away with contaminating our communities and threatening our health with toxic PFAS “forever chemicals”. This designation will help impacted communities harmed by PFAS contamination due to no fault of their own by holding the polluters accountable for the cleanup because EPA now has more legal muscle to force polluters to clean up their messes. Designating PFOA and PFOS as hazardous substances will help the EPA to add sites contaminated with these chemicals to its list of priority sites for cleanup and will allow EPA to use funds to take emergency actions like providing safe drinking water to communities highly contaminated by PFOA and PFOS. And it will allow EPA to sue the polluters to recover those costs.

The Pease community has been highly impacted by PFAS contamination from the use of firefighting foam used by the US Air Force when it was an active Air Force Base. Pease was already a Superfund site when PFAS contamination was first discovered in 2014. The Superfund law has guided the PFAS investigation and remediation that the Pease community has received from the Air Force. By designating PFOA and PFOS as hazardous substances, many other PFAS impacted communities across the nation who have currently been left behind due to lack of legal authority to hold polluters accountable can now address PFAS contamination and will now benefit from investigations and cleanup of their communities, too.

This action is particularly important for low-income communities and communities of color who, as a consequence of historical environmental injustice, are more likely to live in communities near industrial sites or waste sites highly contaminated with PFOA and PFOS. I am also relieved to see EPA is also issuing an “enforcement discretion” memo along with this rule, which makes it clear that the agency intends to hold the big polluters like the chemical and other large companies responsible for paying for cleanup. EPA says specifically that they do not intend to go after water utilities, farmers or firefighters for example.

The listing of PFOA and PFOS as hazardous substances are a major win in the fight to help cleanup forever chemicals, but there are over 14,000 PFAS and EPA needs to list them as a class under Superfund so that we can ensure that all PFAS-contaminated sites are cleaned up. Cleaning up PFAS will come at a cost, but it is important to keep in mind that there are immense costs that far exceed the consequences of not cleaning up these toxic chemicals that cause cancer, thyroid disease, reproductive harms, immune system harms, and more. Thank you to the Biden EPA for yet another incredible PFAS milestone. This hazardous substance designation is long overdue and will benefit so many PFAS impacted communities across the nation.

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