

AG Kaul: Joins coalition of 22 state attorneys general in urging Congress to act on toxic 'forever' chemicals

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MADISON, Wis. – Attorney General Josh Kaul today released a joint letter to Congress, signed by a coalition of 22 state attorneys general, strongly urging the U.S. Senate and House of Representatives to pass legislation to aid states in addressing the public health threat of toxic “forever” chemicals.

“Drinking water contamination can result in serious public health problems. Congress should take swift action to protect the safety of our water, including by designating PFAS as a hazardous substance,” said Attorney General Kaul.

In the [letter](#) sent to Congressional leadership, the coalition calls for action to help states address and prevent the growing dangers of a family of chemicals known as per- and polyfluoroalkyl substances (PFAS), a group of super-resilient, man-made chemicals contaminating drinking water and other media throughout the nation. Additionally, the attorneys general also urged Congress to provide financial assistance to help state and local governments offset the high cost burden of cleaning up drinking water supplies.

The two most studied types of PFAS contaminants are perfluorooctane sulfonic acid/perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid/perfluorooctanoate (PFOA). PFAS chemicals resist degradation in the environment and accumulate in the body. Those contaminants may be linked to serious adverse health effects in humans and animals. Human health effects associated with exposure to PFOA may include kidney and testicular cancer, thyroid disease, liver damage, and preeclampsia; exposure to PFOS is associated with immune system effects, changes in liver enzymes and thyroid hormones, and other conditions.

Across the country, PFAS contamination is most often associated with military bases, firefighting training centers, civilian airports, and industrial facilities. PFAS chemicals tend to be persistent in the environment and have been used for decades as ingredients in firefighting foam. Some states with significant PFAS contamination are currently spending tens of millions of dollars to address the contamination in public drinking water systems, and to investigate numerous areas and sources of potential contamination.

While both the U.S. Senate and House of Representatives have advanced legislation that addresses issues related to PFAS contamination, the attorneys general urge Congress to deal with “the most urgent legislative needs” of states as they work on a final agreement on this legislation. These urgent needs, based on states’ firsthand experience, include:

- Designating certain PFAS chemicals as “hazardous substances” under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), otherwise known as “Superfund.” Such designation is a key to cleaning up some of the most dangerous PFAS-contaminated sites in the country, including U.S. Department of Defense sites and so-called “orphan” sites, where the responsible parties have not been identified or located, or have simply failed to act.
- Adding the entire class of PFAS chemicals to the EPA’s Toxic Release Inventory (TRI), which requires certain industrial facilities to report annually the amount of specific toxic chemicals released into the environment. This would provide critical information about new potential sources of these chemicals, as well as the areas of potential contamination.
- Providing funding for remediation of PFAS-contaminated drinking water supplies – particularly those in disadvantaged communities, where many face severe water affordability issues. Municipalities struggling to afford the high costs associated with cleaning up PFAS contamination in turn may raise water rates on local residents.
- Prohibiting the use and storage of firefighting foam containing PFAS at military bases and other federal facilities as soon as possible and in the meantime, providing immediate protective measures, especially when firefighting foam is used.
- Providing medical screening of PFAS exposure for appropriate personnel and members of the public, including but not limited to firefighters.

Joining Attorney General Kaul in the letter are the attorneys general of California,

Connecticut, Delaware, District of Columbia, Guam, Hawai'i, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New Mexico, New York, Oregon, Rhode Island, Virginia, and Washington.