



NC TSCA PFAS Petition Project

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What DO we know about PFAS “Forever Chemicals” ?



- Persistent
- Bioaccumulate
- Highly mobile
- Ubiquitous in environment, people & wildlife
- Used heavily in products, broad exposure
- Linked to Serious Health Effects

Cancer

Hormone
disruption

Liver and
kidney damage

Developmental
& reproductive
harm

Immunotoxicity

What DON'T we know about PFAS “Forever Chemicals” ?

**How many PFAS
in use?**

- EPA estimates 6-9K , scientists say ~1200
- Shift from long to short chains showing up in products, environment & people

**What are the
health effects?**

- Little data on health & environmental effects of nearly all PFAS

**What does this
mean for my
family?**

- **Huge limitation in understanding how vulnerable communities are impacted**

TSCA Reform- How Can It Help?

- Section 4
 - ✓ authorizes EPA to issue test rules and orders to chemical manufacturers IF
 - ✓ a substance “may present an unreasonable risk”
 - ✓ Data are “insufficient” to determine effects on health & the environment
 - ✓ Can require diverse set of studies – i.e., human epidemiology and animal tests
- Section 21
 - ✓ authorizes citizens to petition EPA for test rules and orders
 - ✓ Citizens can challenge petition denials in district court
 - ✓ Court can order EPA to grant the remedies
- ✓ Special protections for vulnerable groups with greater exposure or susceptibility



Why We Fight



2016: TSCA Reform passes

1. Polluter Pays
2. People Power
3. Protect the Vulnerable

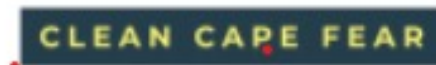
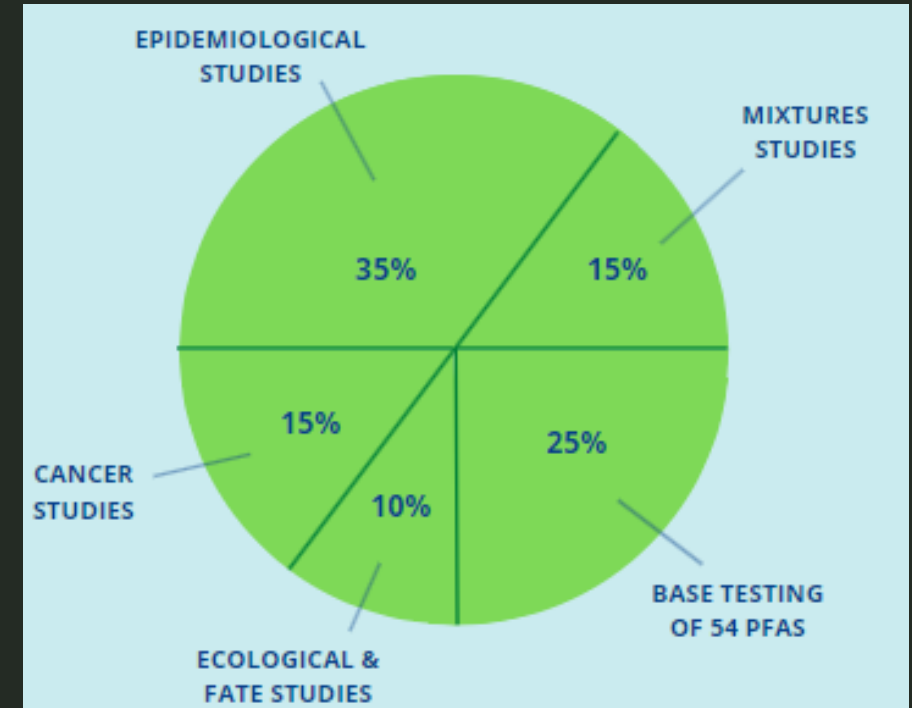
2017: Info on GenX & PFAS discovered in NC drinking water finally made public

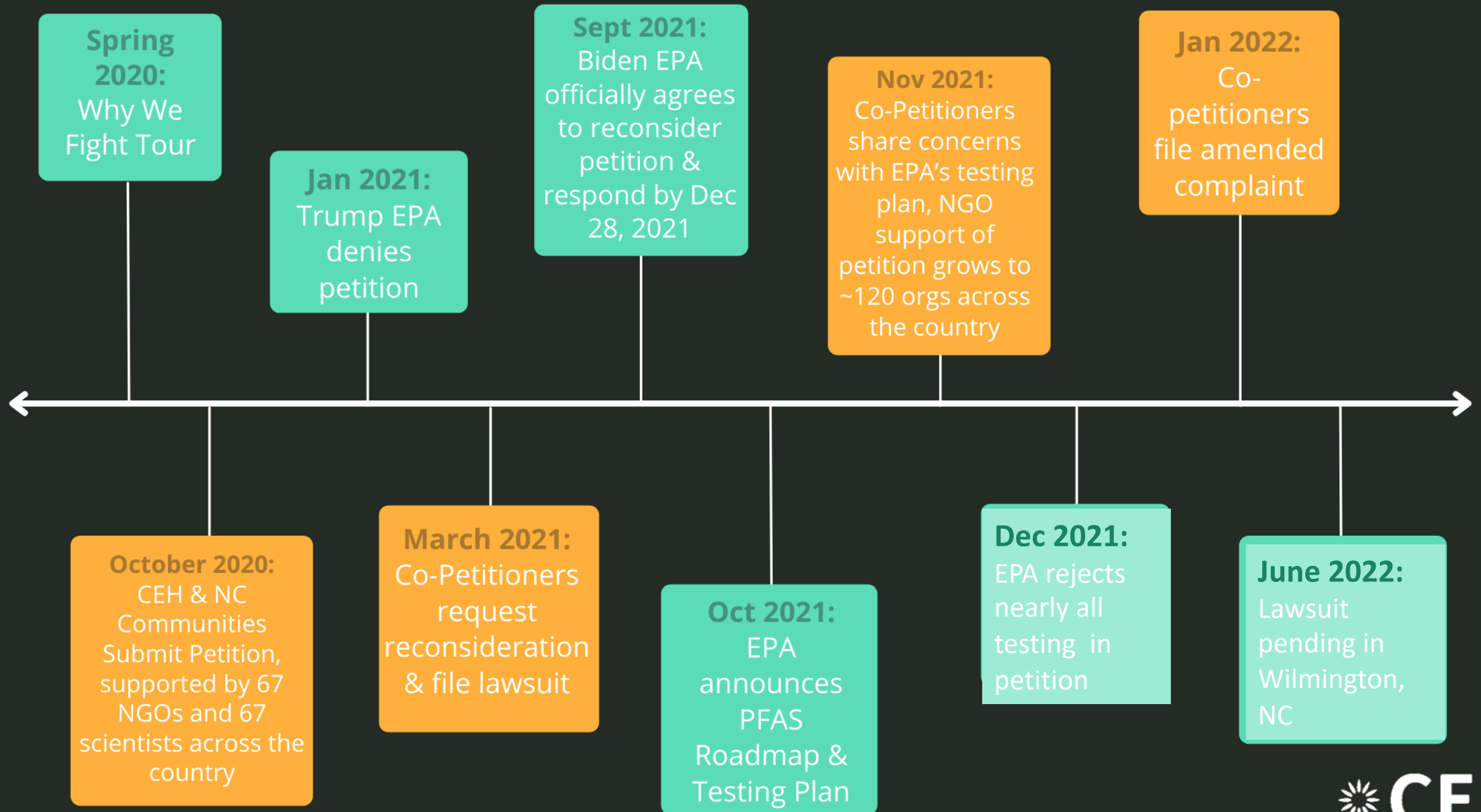
Winter 2020: CEH, local community organizations, Participant Media & Mark Ruffalo host 2-day “**Why We Fight**” tour



Summary of TSCA PFAS Testing Petition

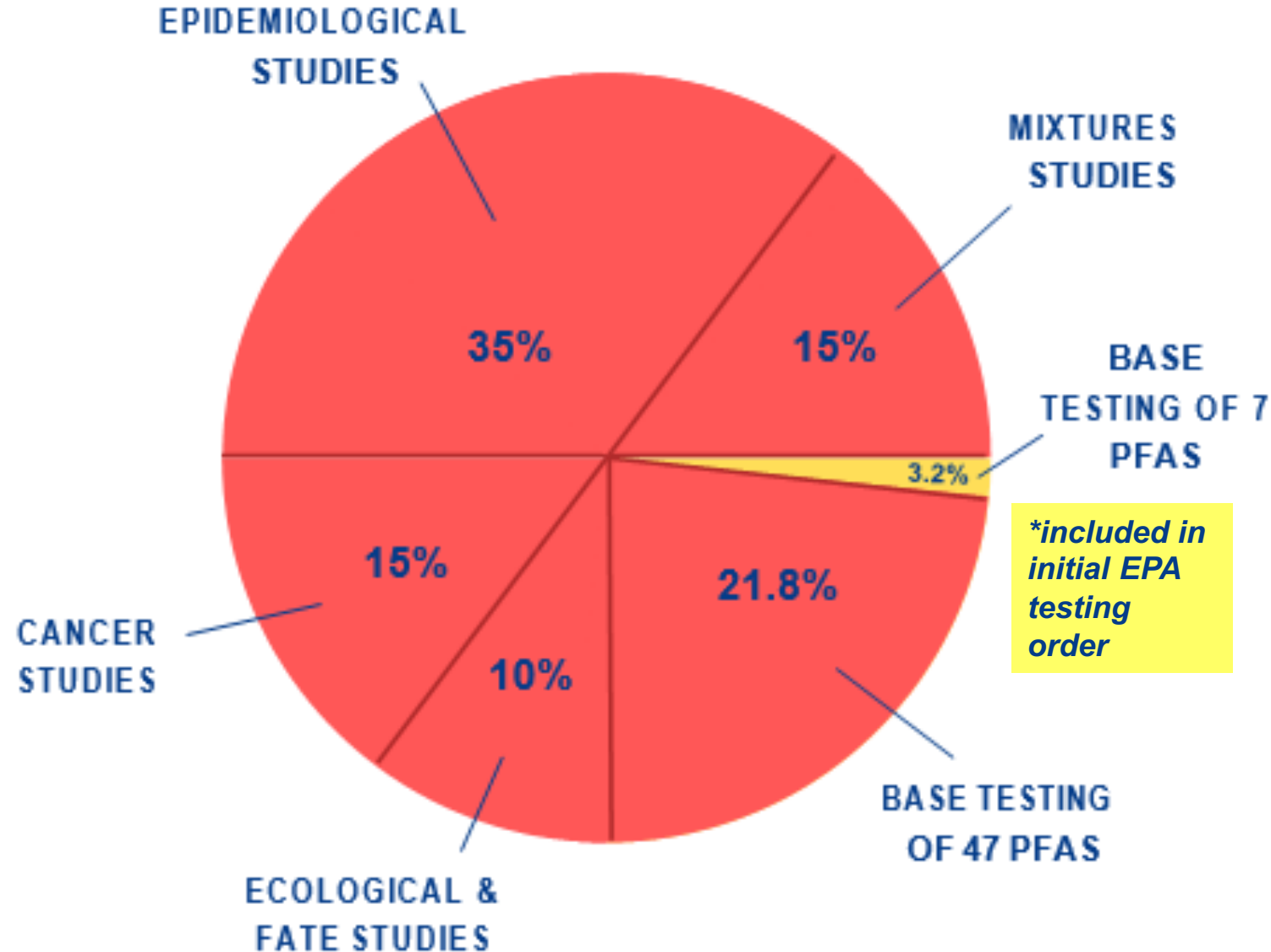
- Targets 54 PFAS produced at Chemours & present in waste streams, air, surface water, drinking water and/or human blood
- Proposes comprehensive testing program developed by scientific experts
- Seeks issuance rules or orders requiring Chemours to fund testing → **Polluter Pays**
- Requests independent science panel to oversee testing
- Supported by **67** leading scientists & **120** NGOs





Why EPA's Decision was Really a Denial

■ = DENIED BY EPA (96.8%)
■ = GRANTED BY EPA (3.2%)



SUMMARY OF EPA DECISION

- **Failed** to require testing on 47 of the 54 PFAS
- **Restricted** testing for 7 PFAS on a “tiered” approach that could result in no animal studies for the critical end-points highlighted in the petition
- **Did not** address the petition’s request for rodent carcinogenicity studies on the 14 Tier 1 PFAS with substantial exposure from drinking water and/or presence in human blood
- **Did not** require testing for GenX compounds
- **Refused** to require a comprehensive epidemiological study of North Carolina residents exposed to the PFAS pollution created by the Chemours facility
- **Rejected** requiring biomonitoring of Chemours employees
- **Declined** to require testing on PFAS mixtures found in the drinking water and/or blood of Cape Fear residents
- **Refused** to require Chemours to develop and submit analytical standards and methods on the 54 PFAS
- **Failed** to address the petition’s requests for ecotoxicity and fate and transport studies on the 54 PFAS.

Why is EPA's Response Insufficient?

Rely on General Testing Strategy



- General Testing Strategy doesn't focus on PFAS found in NC
- Includes just 7 of the 54 Petition PFAS
- Presumes impacts of 54 PFAS can be "extrapolated" from data on other substances

Human Epi Studies



- EPA rejects epi studies in NC, relying on data from "multiple epi studies" in other regions
- Irrelevant to Cape Fear communities

Mixture Studies



- Testing mixtures capture real life scenarios & interactions
- Exposures don't happen 1 at a time so effects can't be determined by testing individual PFAS separately

Why TSCA Petition is so Important

- Polluter should pay, not the public
- Huge data gaps → Public research not enough
- Promotes good stewardship models
- Democracy at risk
- Statistical power of epi studies is what builds the causal link

Chemours profited for 40 years, while communities paid the price

- Health
- Loved Ones
- Homes
- Way of Life
- Life Savings
- Livelihoods



“My friends and neighbors are going into medical debt while battling rare or recurring cancers, some spending months in the hospital... We deserve access to every health study our petition requested and the EPA has the legal authority to require Chemours pay for them.”

Emily Donovan, Clean Cape Fear



“For decades, our communities have suffered silently from PFAS contaminated water. All the while, polluting corporations have continued to profit from our pain. [We] have provided EPA with the tools to clearly and swiftly act to save our communities. We are deeply disappointed that the Biden EPA chose not to use these tools in its response to our petition.” **La'Meshia Whittington, NC Black Alliance**



Key Take Aways

- Communities have the right to know
- EPA has a duty to provide the information & hold polluters accountable
- EPA's actions are insufficient
- Our Lawsuit will hold EPA & Chemours accountable



NGO Support Letter



Scientist Support Letter





Thank you

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