

Perfluoroalkyl and Polyfluoroalkyl Substances Background

Background

Perfluoroalkyl and polyfluoroalkyl substances or PFAS are a group of substances that contain several categories and classes of durable chemicals and materials with properties that include oil, water, temperature, chemical and fire resistance, as well as electrical insulating properties. Each PFAS compound has unique physical and chemical properties.

Different classes of PFAS are used in manufacturing of products including carpet protectant and non-stick cookware but also are used in products such as surgical gowns and drapes, electronic devices such as cell phones and semi-conductors, commercial aircraft and low-emission vehicles.

PFAS were first developed in the 1940s. In the 1950s, two types of PFAS, including perfluorooctanoic acid or PFOA and perfluorooctanesulfonic acid or PFOS, were created because of the ability to repel water, protect surfaces and resist heat. In the 1960s, the U.S. Navy developed firefighting foams using PFAS.

Impact of PFAS

A ban of PFAS will eliminate products that enable activities of modern society. It is the role of the U.S. Environmental Protection Agency (EPA) to review. PFAS compounds and the best available science to determine how PFAS compounds should be regulated (1).

PFOA and PFOS are the most extensively produced and studied of these chemicals. Both chemicals are persistent in the environment and in the human body, meaning the chemicals do not break down and can accumulate over time. There is evidence that exposure to PFAS can lead to adverse human health effects. (2)

PFAS can be found in:

- **Food:** Packaged in PFAS-containing materials, processed with equipment that used PFAS or grown in PFAS-contaminated soil or water.
- **Commercial household products:** Including stain- and water-repellent fabrics, nonstick products (e.g., Teflon), polishes, waxes, paints, cleaning products and fire-fighting foams, which are a major source of groundwater contamination at airports and military bases.
- **Workplace:** Including production facilities or industries that use PFAS, e.g., chrome plating, electronics manufacturing or oil recovery.
- **Drinking water:** Typically localized and associated with a specific facility, e.g., manufacturing, landfill, wastewater treatment plant, firefighter training facility.
- **Living organisms:** Including fish, animals and humans, where PFAS build up and persist over time.

Footnotes

1. www.pfasfacts.com
2. www.epa.gov/pfas/basic-information-pfas

How is Wisconsin addressing PFAS?

Governor Tony Evers Executive Order #40 directed the Department of Natural Resources to create the PFAS Coordinating Council also known as the Wisconsin PFAS Action Council or WisPAC and, in partnership with state agencies, developed a PFAS Action Plan.

Two advisory groups were established to provide a forum for public engagement in the plan development process including: A citizen/public policy advisory group and a local government advisory group. Both groups met in March of 2020. The plan was to have recommendations collected at these advisory group meetings compiled and forwarded as proposals for WisPAC to consider for inclusion in the PFAS Action Plan.

According to the [Wisconsin PFAS Action Plan website](#), work of the Wisconsin PFAS Action Council (WisPAC), including the creation of a PFAS Action Plan draft, is on hold due to COVID-19.

The DNR has initiated a rulemaking procedure to adopt new groundwater quality standards for PFAS under NR 140. The DNR has established a web page to track the rulemaking at <https://dnr.wi.gov/topic/Groundwater/NR140.html>.

The DNR is holding stakeholder meetings on this rule revision. One meeting was held on Feb. 6, 2020, and another via Zoom on March 23. The information from these meetings is available at the bottom of the NR 140 web page. It is unclear when these meetings will resume.

What is WFBF's position on PFAS?

WFBF does not specifically address PFAS in the 2020 Policy Book; however, there are existing policies that indirectly reflect WFBF's position on environmental issues as well as pollution abatement. Those policy statements are:

- Natural Resources and the Environment: Page 17, line 8
We support tax incentives and increase cost sharing of pollution abatement practices to encourage their use and to diminish potentially devastating costs.
- Natural Resources and the Environment: Page 17, line 42
We support remedying at public expense environmental incidents occurring when farmers have complied with accepted guidelines and regulations.
- Natural Resources and the Environment: Page 18, line 34
We support liability protection for an unknowing buyer of property for pollution caused by prior owners. We support liability protection for property owners, and previous property owners, for the discovery of hazardous materials against the time those materials were legally disposed.
- Natural Resources and the Environment: Page 20, line 3
We support more agricultural plastics recycling. We support allowing landowners to burn nonrecyclable resources on their property.

Discussion Questions

How does the presence of PFASs in the environment affect production agriculture? Water? Soil? Air?

Currently, EPA establishes tolerable levels of PFAS based on available scientific research and data. Should these tolerable levels be determined at the federal level or should they be developed at the state level?

- What are the pros and cons to federal established regulations versus state established regulations?

Should WFBF support agricultural representation on any advisory or study committees to ensure agriculture's interests are represented?

Should WFBF support using proven, scientific practices when creating laws that govern the containment of PFAS?

Should WFBF support government agencies using proven, scientific data when developing policies concerning the application of urban sludge? (see AFBF, Waste Disposal and Recycling, Pages 117-118)

Should WFBF support having the responsibility for handling urban waste fall on the waste management handler? (see AFBF, Waste Disposal and Recycling (?), Pages 117-118)

Should WFBF support indemnifying farmers or farm owners for the cost of any damages or cleanup resulting from the presence of PFAs that are the result of others? (see AFBF, Indemnification, Page 89)

Should WFBF oppose criminalization under environmental law? (AFBF, Environmental Protection, Page 116)