



THE MUNICIPAL PERSPECTIVE ON PFAS

Our Objective: As owners and/or operators of public water and wastewater systems, our primary mission is to protect public health and the environment. As such, our objective is to educate the public, legislators, and the media about how proposed PFAS regulatory standards have created fiscal and operational uncertainty and market disruptions on public drinking water and wastewater systems in New Hampshire.

Our message:

- We are committed to providing water and sewer services at a level that meets our customers' expectations of quality and cost. We strive to protect consumers from demonstrable health risks and are understandably concerned about the unknown health risks associated with manmade PFAS contaminants.
- We operate in compliance with the Safe Drinking Water Act and Clean Water Act to assure that public health and environmental risks of regulated contaminants are effectively and efficiently reduced. PFAS compounds must be properly addressed with the scientific risk-based and data driven framework of the Safe Drinking Water Act and Clean Water Act.
- We understand the public's concern with PFAS. However, a scientific, risk-based and data driven process that discerns what substances are to be regulated, and at what levels, requires a significant amount of time and resources. We caution against setting any precedent of by-passing these well-established processes via fast tracked state legislative or regulatory action.
- We are not the source of these contaminants and should not be held liable for studying, investigating, testing, and treating these substances. Disposal or recycling of water and wastewater residuals such as land application of biosolids as fertilizer, is a beneficial reuse of organic material, not a potential liability. Regulated waste streams should not require specialized disposal methods or technology that is not readily available, or performance tested. It is anticipated that future PFAS disposal will become very expensive to municipal systems.

What we want:

- We want to ensure municipal customers that their investments will be used wisely to address the highest priority risks to their public water and wastewater systems, including antiquated and failing infrastructure needs. Having to meet any new standards derived from insufficient scientific data will result in fewer resources available to address other critical municipal priorities and needs.
- We want NHDES to conduct a thorough cost/benefit analysis as part of the PFAS standard setting process as required by RSA 485:3 (SB 309 from 2018), including analysis of the incremental benefits to public health that will result from adopting the proposed maximum contaminant levels (MCLs). This is critical.
- We want NHDES to provide the public with comparative risk communications relative to costs and health benefits.
- We want NHDES and the legislature to refrain from establishing PFAS standards on drinking water and soils that are lower than what was proposed by NHDES in January 2019 until there is clear and correlative scientific evidence to support such lower standards. Acceptable PFAS levels cannot be modified on an annual basis.
- We want NHDES to work closely with a municipal working group in the implementation of any new standards.
- We want federal and state legislation to phase-out PFAS products from our environment in the first place.
- We want NHDES and the legislature to clearly acknowledge that the companies that produced, distributed and discharged PFAS compounds into our air, water and soil are liable as "the responsible parties", not municipalities and other public entities, and to not place financial liability on municipalities and other public entities for testing, clean-up or treatment relative to PFAS contamination.