



June 2023

*A Resolution Submitted by the City of Zion, IL*



### **Protecting Source and Drinking Water from PFAS Contamination**

WHEREAS over 4,700 toxic substances called per- and polyfluoroalkyl substances (PFAS) – also known as “forever chemicals” – have been widely used in the United States since the 1940s for stain- and water-resistant fabrics, non-stick cookware, and firefighting foam, among other applications.

AND WHEREAS long-lasting “forever chemicals” do not degrade in the environment and instead contaminate soil and water, and bioaccumulate in humans, fish and various wildlife.

AND WHEREAS exposure to PFAS, even at low levels, is known to cause adverse health outcomes, including, but not limited to, developmental effects or delays in children, increased cancer risks and weakened immune systems.

AND WHEREAS the Great Lakes and St. Lawrence Cities Initiative's Strategic Plan for 2022-2025 emphasizes the importance of preventing PFAS pollution of our freshwater resources and treating drinking water to remove PFAS and other emerging contaminants.

AND WHEREAS in October 2020 the Environmental Working Group (EWG), a respected non-profit research organization, estimated that more than 200 million U.S. residents – including many in the Great Lakes and St. Lawrence River Basin – are regularly consuming drinking water contaminated with unsafe levels of PFAS.

AND WHEREAS in July 2021 the EWG stated that, according to a review of data from the U.S. Environmental Protection Agency (EPA), nearly 30,000 industrial sites across the United States continue to release PFAS into the environment.

AND WHEREAS U.S. EPA released in October 2021 a *PFAS Strategic Roadmap* that lays out a whole-of-agency approach to addressing PFAS in the United States with timelines for action.

AND WHEREAS the Infrastructure Investments and Jobs Act, signed into law in November 2021, provides \$10 billion in new federal funding to address PFAS and other emerging contaminants in U.S. source and drinking water.

AND WHEREAS U.S. EPA proposed in August 2022 designating two PFAS chemicals – perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) – as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, a rule that, if finalized, would enhance U.S. EPA’s authorities for holding PFAS-polluters accountable.

AND WHEREAS in March 2023 an analysis of U.S. EPA data published by the EWG and Duke University researchers found that Great Lakes fish have the highest level of PFAS contamination – 11,800 parts per trillion (ppt) – of any freshwater fish in the United States.

AND WHEREAS U.S. EPA proposed in March 2023 the first-ever national standard to limit PFAS in drinking water, which would establish an enforceable maximum contaminant level of four parts ppt for PFOA and PFOS, as well as hazard indexes for four other toxic "forever chemicals."

AND WHEREAS U.S. EPA has until September 3, 2024, to finalize the proposed national standard to limit PFAS in drinking water, consistent with its obligations under the Safe Drinking Water Act.

AND WHEREAS U.S. water utilities are expected to have between three and five years to comply with the final national standard to limit PFAS in drinking water.

AND WHEREAS in March 2023 the American Water Works Association said that compliance with U.S. EPA’s proposed national standard to limit PFAS in drinking water could cost U.S. water utilities \$3.8 billion annually.

AND WHEREAS U.S. water utilities have articulated concerns about the high cost of compliance with U.S. EPA’s proposed national standard to limit PFAS in drinking water, which could result in rate increases.

NOW THEREFORE BE IT RESOLVED THAT:

- The U.S. government must...
  - Ban the production and importation of harmful PFAS – with limited exceptions for essential uses – and require consumer packaging to disclose the use of PFAS compounds during the transition towards a full ban on production

- Finalize enforceable limits on PFAS contamination in drinking water at levels consistent with evidence-based science while empowering utilities that exceed the limits with the federal funding and technical support needed to comply
  - Increase federal funding to rapidly deploy treatment technologies for PFAS-contaminated drinking water, with an emphasis on destruction of PFAS compounds rather than concentrating and disposing of them
  - Designate PFAS as a hazardous substance under the Superfund program, with an exemption of water and wastewater treatment from liability under the Comprehensive Environmental Response, Compensation, and Liability Act
  - Require industries to contribute towards PFAS clean-up costs
  - Restrict PFAS from being discharged into the environment, recognizing that treated water will be returned to its original source with the same or lower concentrations
  - Invest in research and monitoring
  - Strengthen U.S. EPA's *PFAS Strategic Roadmap* and accelerate implementation
- The Government of Canada and the provincial governments must:
    - Ban the production and import of harmful PFAS – with limited exceptions for essential uses – and require consumer packaging to disclose the use of PFAS compounds during the transition towards a full ban on production
    - Establish a Centre for Chemical Substitution modelled on similar initiatives in the United States (e.g., U.S. EPA's Safer Chemicals Research) and Sweden (i.e., Swedish Centre for Chemical Substitution), which will undertake research and work directly with companies to substitute toxic chemicals and harmful pollutants in products
- The Cities Initiative's Mayors Commission on Water Equity should explore opportunities to advocate for increased federal funding to monitor and treat drinking water for PFAS, recognizing both the significant costs associated with such treatment, the inequity of municipalities bearing the brunt of treatment costs and the need to ensure access to safe, clean and affordable water for all residents of the basin.

AND FURTHER BE IT RESOLVED THAT copies of this resolution will be distributed to: Michael Regan, Administrator, U.S. EPA; Radhika Fox, Assistant Administrator, Office of Water, U.S. EPA; Regional Administrators of U.S. EPA Regions 2, 3, and 5; Governors and SRF Administrators of the eight Great Lakes states; the Great Lakes Task Force in the U.S. House and U.S. Senate; and appropriate U.S. Congressional committees; and The Hon. Steven Guilbeault, Canada's Minister of Environment and Climate Change.