



April 11, 2022

House Energy & Environment Committee  
Colorado General Assembly  
200 E. Colfax Avenue  
Denver, CO 80203

**Re: HB22-1345 Per- and Polyfluoroalkyl chemicals consumer protection act.**

Dear Members of the House Energy & Environment Committee:

My name is Ann Sutton, living in Westminster CO. This testimony represents the position of the League of Women Voters of Colorado (LWVCO).

The League of Women Voters of Colorado Supports this bill that represents the interface of protecting public health and environmental health, addressing a class of chemicals that has been added to a wide variety of consumer and industrial products because of useful characteristics and enhancement of products' intended functions. Decades later, we are assessing the un-intended consequences of health effects and environmental contamination by chemicals that are remarkably long-lasting.

From production to disposal, PFAS can be released to the environment; because of the sheer number of kinds of PFAS, environmental discovery and characterization studies struggle to keep pace. Natural transformation of PFAS includes reaction products, resulting in deposition sites such as landfills serving as time-delayed sources. [Evich, MG et al. Science 375: 512; 4 Feb 2022.] ([science.org](https://www.science.org))

*Consumer Reports* (CR) tested multiple samples of food packaging products from major restaurant and grocery chains for total organic fluorine as a marker for PFAS. PFAS can enter food from the immediate packaging and can enter soil and water from waste landfills. ([Consumer Reports](https://www.consumerreports.org))

Studies such as these highlight the ongoing hazard of PFAS in our waste stream.

The League supports policies to ensure safe treatment, transportation, storage, and disposal of solid and hazardous wastes to protect public health and air, water, and land resources. Our approach to environmental protection aims to prevent ecological degradation and to reduce and control pollutants. The federal government should have the major role in setting standards for environmental protection, but other levels of government should have the right to set more stringent standards.

To date, managing the risk of PFAS has focused primarily on one chemical at a time, or a small group of PFAS. This approach has not been effective at controlling widespread exposure to this large group of chemicals with known and potential hazards. It is not possible to thoroughly assess every individual PFAS for their full range of effects in a reasonable time frame. Government policy makers have already begun limiting PFAS through bans in certain product categories. [Kwiatkowski, CF et al. *Environ. Sci. Technol. Lett.* 7: 532–543; 30, Jun 2020.] ([Environmental Science and Technology Letter](https://www.environmentalscienceandtechnologyletter.com))

At the federal level, the EPA is responsible for assuring clean air, land, and water. Until very recently, EPA action on PFAS contamination has been slow and limited, primarily using the *Safe Drinking Water*

Act and addressing only selected PFAS. In June 2021, rulemaking was begun for the “first targeted effort under the *Toxic Substances Control Act (TSCA)* to collect information” from manufacturers on the use of PFAS. In July 2021, the agency made the first ever reporting on PFAS in the *Toxics Release Inventory* beginning with reports for about 170 chemical forms. Although **PFAS Strategic Roadmap: EPA's Commitments to Action 2021-2024** was published in October 2021, EPA appears to be addressing the problems through primarily a case-by-case process.

As a former federal-level regulator, I understand the detailed and drawn-out timeframe needed for rulemaking and approvals. In the last two years I have been proud to see my former agency shift into overdrive and use creative application of existing law and regulations to safely approve preventions and treatments for Covid-19 in responding to a public health emergency. EPA should do the same in regulating PFAS.

The time is past for “preventing PFAS from entering the environment in the first place—a foundational step to reducing the exposure and potential risks of future PFAS contamination.” ([EPA](#))

“Without effective risk management action around the entire class of PFAS, these chemicals will continue to accumulate and cause harm to human health and ecosystems for generations to come.” [Kwiatkowski, CF et al.; reference above]

We thank the committee for their careful review and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Ann Sutton". The signature is fluid and cursive, with the first name "Ann" and last name "Sutton" clearly distinguishable.

Ann Sutton Volunteer Lobbyist  
League of Women Voters of Colorado  
1410 Grant Street, Suite B-204  
Denver, CO 80203