Appendix E: Citizens Advisory Group Recommendations

The following pages include the recommendations forwarded to WisPAC from the **Citizens External Advisory Group**. These recommendations were based upon input received at the respective external advisory group meetings.

The following recommendations are organized by four focus areas, which reflects the initial way in which WisPAC had organized the solicitation of input. Subsequently, it was decided that the four focus areas were not sufficiently distinct.

FOCUS AREA 1: Preventing Future Discharge and Exposure

OVERVIEW

PFAS compounds are ubiquitous and used in countless products and processes. While most PFAS compounds have not been linked to health risks to date, a subset of PFAS has been determined to be detrimental to human health. The Wisconsin DNR, DHS and private parties are taking action to mitigate health risks where harmful PFAS are identified in the environment. At the same time, however, new PFAS-related health risks are developing through:

- The continued use of products containing PFAS of concern, such as fluorinated firefighting foam (AFFF);
- the ongoing importation of products containing PFAS from countries that have not banned their use;
- atmospheric deposition from countries that continue to use harmful PFAS; and
- continued exposure to PFAS sources that have yet to be detected (as addressed in Focus Area 2, Identifying and Minimizing Current PFAS Exposure).

RECOMMENDATIONS

Overall

- State investments in preventing future PFAS impacts are the most effective means of protecting public health. They are also less costly and less detrimental to the State's economy in the long run.

Community Engagement

- Because PFAS are found in a multitude of common household and commercial products, public outreach that empowers state residents to avoid PFAS exposure is crucial.

Actionable Information

- Provide information and assistance to aid manufacturers, fire departments and other PFAS users to transition to products and processes that avoid harmful PFAS compounds

- Provide greater flexibility in code/statute to address additional compounds (e.g., water quality values) as knowledge base increases
- Consider necessity/value of full PFAS ban
- Provide greater flexibility in legal resources to address additional emerging contaminants and additional contaminants (e.g. pharma) as knowledge base grows
- Develop better education on how to prevent future PFAS discharges

FOCUS AREA 2: Inventorying and Minimizing Current PFAS Exposure

OVERVIEW

- Research and develop best management practices for all parts of PFAS lifecycle (including treatment, disposal and destruction), including leachate and biosolids;
- Provide better/more accessible information to the public on products containing PFAS; and
- Expand toxicology understanding.

RECOMMENDATIONS

Overall

- Public Advisory Group (PAG) participants are interested in opportunities to inform the public on current conditions that may increase their risk of exposure to PFAS.

Community Engagement

- Management of POTW/WWTP sludges and biosolids is a significant concern which may not yet be fully understood.
- PAG participants expressed a desire for clearer definition of the proposal to "expand" our understanding of PFAS toxicology. Co-chairs indicated this could be through encouraging the U.S.EPA to address toxicology, as one of the pillars of the February 2019 federal PFAS Action Plan, more quickly. A Wisconsin DNR representative added that State has relied on U.S.EPA in the past for such information. WDNR has now asked DHS for Enforcement Standards (ESs) for several more PFAS compounds. DHS is looking into potential dermal contact issues also.
- One suggestion was that State could consider utilizing available funding to broaden the explanation of PFAS use and industries that handle PFAS to better understand potential receptors. Minnesota and Michigan have set this precedent.

Actionable Information

- Evaluate legislative solutions to allow local government/municipalities to set and implement more restrictive standards to address local PFAS issues and concerns
- Consider impacts of federal or state preemption of state or local standards, respectively
- Consider opportunities for municipalities to exercise emergency powers to address specific concerns
- Consider additional measures to develop means for inventorying PFAS exposure risks

FOCUS AREA 3: Identifying and Addressing Historic/Legacy PFAS Discharges and Exposure

OVERVIEW

- Prevent uncertainty for brownfields development by clarifying standards, identifying priorities
- Develop BMPs/standards for WWTP sludge disposal and dewatering - $ responsibility?
- Identify historical/legacy discharge sites
- Address due diligence/Phase I protocols
- Risk management and allocation – VPLE

RECOMMENDATIONS

Overall

- Public Advisory Group (PAG) participants are interested in opportunities to identify and address historic/legacy PFAS discharges and exposure in Wisconsin.

Community Engagement

- A PAG participant suggested that municipalities should set more stringent standards than state law, including what happens when the federal government starts new construction at military/airport installations. A Wisconsin DNR representative acknowledged that military installations are a challenge because our authority over them is limited.
- A PAG participant suggested that there should be clearer guidance regarding whether the state government or a responsible party should be liable for addressing historical/legacy discharges.
- A PAG participant suggested that establishing sampling and analysis protocol should be a priority.
- A PAG participant noted that determining background concentrations is important.
- A PAG participant questioned how PFAS liability will be managed and allocated in VPLE-type voluntary cleanups

Actionable Information

- Identify which PFAS chemicals and which PFAS uses and sites are a priority
- Identify what to do with PFAS impacted building materials and cleanup residue, akin to materials contaminated with PCBs and other contaminants
- Encourage information sharing from and with Wisconsin DNR regarding remediation technologies
- Address gap that exists because PFAS is not currently a CERCLA hazardous substance and thus outside of the scope of a traditional ASTM Phase I

FOCUS AREA 4: Public Stakeholder Engagement (Formerly Educating and Communicating)

OVERVIEW

Through robust, transparent public engagement State agencies have an opportunity to:

- Tap into the wisdom and insight of stakeholder groups to tailor state actions to local needs and priorities;
- Empower citizens to protect themselves from known PFAS risks; and
- Build public confidence in the actions of the state toward mitigating PFAS impacts.

RECOMMENDATIONS

Overall

- PAG participant comments reveal a high degree of public trust in the quality of information that the state has offered. Several participants acknowledged that PFAS issues have escalated so rapidly that outreach efforts have been hard-pressed to keep pace. Still, the most pressing request is that the state continue to move quickly to meet public demand for actionable information, as well as meaningful public involvement in the state's plans related to PFAS.

Community Engagement

- Focus Area 4 should emphasize engaging the public in meaningful exchanges that refine the state's actions, in addition to educating and communicating. Renaming Focus Area 4 to reflect the emphasis on engagement would be consistent with this commitment.
- Strive to meet affected populations on their terms. Public meetings, for example, are not comfortable settings for all individuals. Diversify strategies to ensure that residents have multiple avenues for interacting with state teams.
- Seek out marginalized and diverse groups and remain mindful of potential environmental justice disparities in impacts. Leverage existing networks to draw in disparate communities.

Actionable Information

- Put actionable information front and center in communication. Too often, abstract or academic background information is featured more prominently than guidance on actions individuals can take to protect themselves. Push forward suggestions on steps people can take to avoid household PFAS exposure in dust and products, safely discard PFAS containing products, and respond to foam in waterways, for example.
- Move quickly and consistently to prevent exposure to PFAS in the environment; for instance, use signage, media outreach and social media advisories to alert the public to specific local risks of PFAS exposure.
- Build awareness of actions that individuals, businesses and institutions can take to prevent future PFAS discharges. For example, empowering consumers to avoid products containing PFAS will influence manufacturers to phase out their use.
- Ensure that potential risks, such as to users of fluorinated firefighting foam or wastewater treatment plant workers, are identified and communicated to the affected populations.
- Develop outreach to assist manufacturers in identifying and potentially avoiding materials and processes throughout the supply chain that may contribute to PFAS releases.