

Speaker: Teena Halbig



UNA-USA



Floyds Fork Environmental Association

Mr. Michael Regan
U.S. EPA Administrator
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
202 564-4700

February 9, 2021

Dear U.S. EPA Administrator Michael Regan,

We know how successful you were as head of North Carolina Department of Environmental Quality - especially working with Governor Roy Cooper regarding PFAS/Forever Chemicals. Therefore, the United Nations Association of the USA Kentucky Division and Floyds Fork Environmental Association ask for your help in Region IV for Louisville, KY and for Kentucky. Louisville has the only other DuPont *Chemours* (also abuts DOW DuPont) and downstream in the Ohio River from North Carolina's DuPont *Chemours*. *Chemours* was given PFOA production by DuPont with DuPont's first spin-off.

You are no doubt aware of the Environmental Working Group's (EWG) study of 40 cities which found Louisville has the 2nd largest level of GenX. Louisville Water Company (LWC) has been detecting several PFAS in drinking water (average 5.6ppt) but will not notify customers since these are UNregulated chemicals but we have asked for this information go out on bills. Since LWC meets regulated standards, their spokesperson is unwilling to send notices – or to use granular charcoal filtration continuously. NOTE: It is indeed sad that charcoal filtration is only used about 3 months per year or on an "as needed basis" for LWC customers. Lots of other things could be removed, too, if charcoal filtration was used 12 months per year. And Reverse Osmosis (RO) is needed to remove GenX.

The same is true (no charcoal filtration or RO) for the Metropolitan Sewer District (MSD) where the huge Morris Forman WWTP **discharges daily into the Ohio River** without removing Forever Chemicals. Recently, on a zoom, MSD's representative said a few years ago there was some testing but all "non-detects" which does not seem plausible, considering LWC is finding PFAS chemicals.

There are several important PFAS bills in Congress now but they are not moving:

1. **H.R. 535 PFAS Action Act** passed the U.S. House but has been in the U.S. Senate and not moving since Jan. 2020. The U.S. EPA Administrator would designate PFOA/PFOS and their salts as HAZARDOUS substances and also look at the 60,000 chemicals to make determinations. This is a priority bill.

2. **H.R. 2377 Protect Drinking Water from PFAS Act** would amend the Safe Drinking Water Act which would require the U.S. EPA Administrator to set a regulatory standard which water companies must meet for PFAS.

3. H.R. 2605 PROTECT ACT = Prevent Release of Toxics Emissions, Contamination, and Transfer Act where U.S. EPA will be required to list PFAS chemicals to the list of HAZARDOUS AIR POLLUTANTS.

It has been found that **PFAS affects the immunity of children and adults**. One study by Philippe Grandjean of Harvard T.H. Chan School of Public Health found levels of PFBA in COVID patient's blood was increased with morbidity and mortality whereas those patients with less PFBA in their blood had fewer symptoms and recovered. The medical community does not know how long the current COVID shot plus booster will provide immunity; Forever Chemicals might be the culprit.

It was excellent that the **National Defense Authorization Act (NDAA)** passed to provide multi-millions to clean up 600-700 **military bases** with PFOA contamination. Also the bill provided funding for testing of military women and men's blood for PFOA and follow-up post the removal to re-test their PFOA levels. You and I would assume a decrease – just as was found in North Carolina once DuPont funded the methods to remove PFAS from the public's drinking water where the resident's PFOA levels decreased.

We also have concerns for **air quality and PFAS emissions**. In Louisville's West End, there are so many residents who are ill and have cancers for decades. Both DuPont Chemours and DOWDuPont are abutting - **both plants are near the Ohio River** on Campground Road. We are concerned for all Kentuckians and know PFAS can be removed from drinking water and wastewater to lower the PFAS burden and bioaccumulation in children and adults. DuPont has benefited for decades but it is time for government to step up to ensure cleaner drinking water, cleaner air emissions and cleaner wastewater discharges in the waters of the United States.

We ask for your help with this immense problem that is local, national and global in scope. Help is needed to protect the health and welfare of the public. You are aware of the health findings in NC and KY needs your leadership to bring about badly necessary changes.

We look forward to hearing back from you.

Sincerely,


Teena Halbig

United Nations Association of the USA KY Div. Vice President, former President 6 yrs, Clean Water Chair
Floyds Fork Environmental Association (FFEA) Co-Founder in 1991, BOD, Clean Water Chair


www.unausea.org

www.floydsfork.net

cc: Sheron Lear, President FFEA, Co-founder 1991

Ray Ehlers, Vice President FFEA

Richard Beliles, Esq., President UNA-USA KY Division

doc Kowalk letter U.S. EPA Michael Prough 1-30-21



January 15, 2021

Satchel Walton
Kentucky Green Report
61 Hill Road
Louisville, KY 40204
Satchel.walton@manualjc.com
502-259-8534

Re: Open Records Request

Dear Mr. Walton,

Attached please find Louisville Water records responsive to item one of your Open Records Request.

While we are working with CDM, their report is not complete at this time. Preliminary work product is exempt from disclosure under KRS 61.878(i). Therefore, Louisville Water is not in possession of any records which are responsive to item 2 of your request.

Regarding item three, we are continuing to evaluate internal communications that may be responsive to your request. We anticipate having a response for you on Friday, January 22, 2021.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Richard G. Hinton'.

Richard G. Hinton
Associate Attorney
/RGH

Sample ID	ID	Sample Date	Perfluorobutanesulfonic acid (PFBS)	Perfluoropentanesulfonic acid (PFPS)	Perfluorohexanesulfonic acid (PFHxS)	Perfluoroheptanesulfonic acid (PFHpA)	Perfluorooctanesulfonic acid (PFOS)	Perfluorononanesulfonic acid (PFNA)	Perfluorodecane sulfonic acid (PFDA)	Perfluorododecane sulfonic acid (PFDDA)	Perfluorotridecane sulfonic acid (PFTDA)	Genix	Notes		
CH RAW	A1	1/30/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.3	<2	<2	<2
CH FIN	A2	1/30/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.1	<2	<2	<2
BEP RAW	B1	1/30/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	5.6	<2	<2	2.2
BEP FIN	B2	1/30/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.5	<2	<2	<2
CH RAW	A1	2/24/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.0	<2	<2	<2
CH FIN	A2	2/24/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.5	<2	<2	<2
BEP RAW	B1	2/24/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	5.6	<2	<2	<2
BEP FIN	B2	2/24/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.8	<2	<2	<2
CH RAW	A1	3/25/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	6.2	<2	<2	2.0
CH FIN	A2	3/25/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.6	<2	<2	<2
BEP RAW	B1	3/25/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	5.6	<2	<2	<2
BEP FIN	B2	3/25/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.1	<2	<2	<2
CH RAW	A1	4/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	6.1	<2	<2	3.2
CH FIN	A2	4/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.5	<2	<2	2.6
BEP RAW	B1	4/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	5.9	<2	<2	<2
BEP FIN	B2	4/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.8	<2	<2	<2
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CH FIN	A2	5/20/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.1	<2	<2	<2
BEP RAW	B1	5/20/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.6	<2	<2	<2
BEP FIN	B2	5/20/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.1	<2	<2	<2
CH RAW	A1	6/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.8	<2	<2	<2
CH FIN	A2	6/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.5	<2	<2	<2
BEP RAW	B1	6/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.9	<2	<2	<2
BEP FIN	B2	6/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	3.7	<2	<2	<2
CH RAW	A1	7/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.3	4.0	<2	<2
CH FIN	A2	7/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.2	4.0	<2	<2
BEP RAW	B1	7/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	5.3	<2	<2	<2
BEP FIN	B2	7/15/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.0	<2	<2	<2
CH RAW	A1	8/20/2020	2.2	<2	<2	<2	2.3	<2	<2	<2	<2	2.7	6.3	<2	7.2
CH FIN	A2	8/20/2020	<2	<2	<2	<2	2.3	<2	<2	<2	<2	2.6	6.0	<2	3.7
BEP RAW	B1	8/20/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.2	5.7	<2	<2
BEP FIN	B2	8/20/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.2	4.5	<2	<2
CH RAW	A1	9/29/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.5	<2	<2	2.2
CH FIN	A2	9/29/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.9	<2	<2	2.4
BEP RAW	B1	9/29/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.6	<2	<2	<2
BEP FIN	B2	9/29/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.3	4.3	<2	<2
CH RAW	A1	10/13/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.1	3.9	<2	4.4
CH FIN	A2	10/13/2020	<2	<2	<2	<2	2.2	<2	<2	<2	<2	2.4	4.2	<2	4.0
BEP RAW	B1	10/13/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.1	5.0	<2	<2
BEP FIN	B2	10/13/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	2.3	4.2	<2	<2
CH RAW	A1	11/18/2020	3.1	<2	<2	<2	<2	<2	<2	<2	<2	3.1	<2	<2	<2
CH FIN	A2	11/18/2020	2.8	<2	<2	<2	<2	<2	<2	<2	<2	2.3	3.7	<2	3.6
BEP RAW	B1	11/18/2020	2.4	<2	<2	<2	<2	<2	<2	<2	<2	5.1	<2	<2	<2
BEP FIN	B2	11/18/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.1	<2	<2	<2
CH RAW	A1	12/16/2020	3.0	<2	<2	<2	<2	<2	<2	<2	<2	2.8	<2	<2	8.1
CH FIN	A2	12/16/2020	3.1	<2	<2	<2	<2	<2	<2	<2	<2	3.4	<2	<2	7.7
BEP RAW	B1	12/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.4	<2	<2	<2
BEP FIN	B2	12/16/2020	<2	<2	<2	<2	<2	<2	<2	<2	<2	4.1	<2	<2	<2

February 20, 2020

New PFAS Regulations Make Changes to CA Drinking Water Supplies

Sean Herman, Rosslyn "Beth" Hummer, Nathan Metcalf

Hanson Bridgett LLP

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Long considered "emerging contaminants," per- and polyfluoroalkyl substances (PFAS) have now emerged. And water agencies throughout California must take heed.

As we last reported, in November 2017, the California Office of Environmental Health Hazard Assessment (OEHHA) added two widely used PFAS compounds to the Proposition 65 list of chemicals known to cause reproductive toxicity: perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). Since then, there have been significant further regulatory developments in California.

AB 756, codified as section 116378 of the Health & Safety Code as part of the California Safe Drinking Water Act, went into effect January 1, 2020. AB 756 authorizes the State Water Resources Control Board (State Board) to order certain public water systems to monitor for PFAS. AB 756 also requires the following if monitoring detects PFAS:

- If a PFAS is detected, it must be reported in the water system's annual consumer confidence report.
- If the detection exceeds **notification levels**, it governing board and the State Board.
- If the detection exceeds **response levels**, the w service immediately or notify its customers.

Shortly after Governor Newsom signed AB 756 into law reduced the **notification levels** for PFOA and PFOS 1 respectively. Notification levels are not drinking water



health-based measures, above which water systems must notify their governing board and the State Board.

Then, in February 2020, the State Board reduced the **response levels** for PFOA and PFOS to 10 ppt and 40 ppt, respectively. Response levels are advisory levels above which the State Board's Division of Drinking Water recommends taking a water source out of service. AB 756 now requires that public water systems choose between taking that water source out of service or notifying its customers when a PFAS detection exceeds a response level. The following table summarizes these current notification and response levels:

PFAS COMPOUND	NOTIFICATION LEVEL (ng/L, or PPT)	RESPONSE LEVEL (ng/L, or PPT)
Perfluorooctanoic acid (PFOA)	5.1 ppt	10 ppt
Perfluorooctanesulfonic acid (PFOS)	6.5 ppt	40 ppt

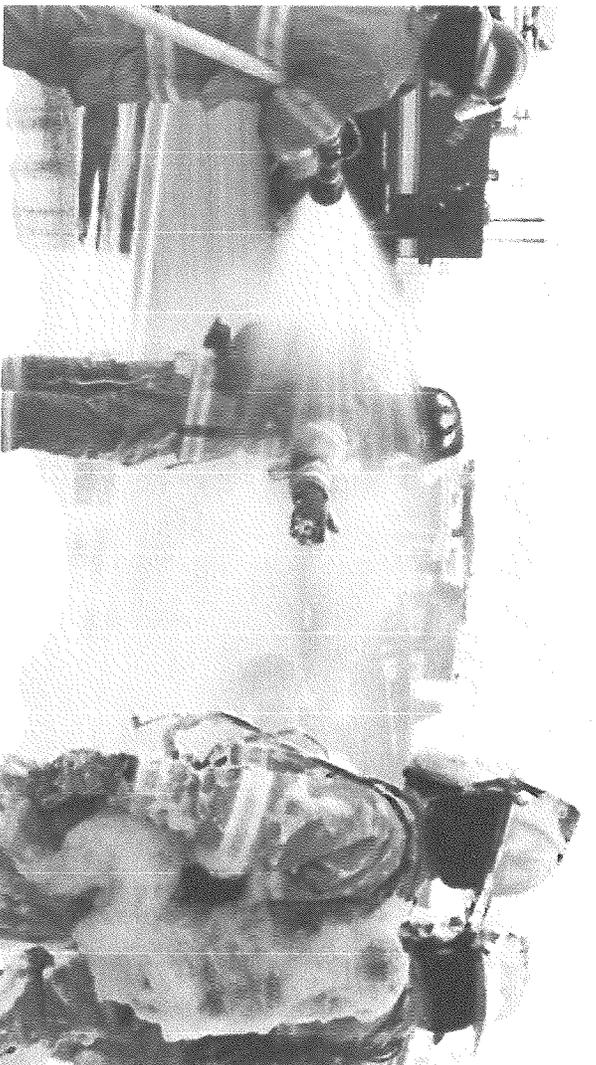
Response levels are coupled with notification levels for contaminants that the State Board is considering establishing a maximum contaminant level (MCL). The State Board has requested that OEHHA develop public health goals for PFOA and PFOS. Public health goals, or PHGs, identify concentration levels of contaminants in drinking water below which no significant acute or chronic health risk is anticipated. Once OEHHA develops a public health goal, the State Board may rely on it as the foundation for an MCL based on risk to human health.

These regulatory developments have had a significant and immediate effect on water agencies throughout California. For example, the State Board's reduction of the PFAS response level triggered the closure of wells throughout California, including an additional thirty-three drinking water wells in Orange County alone. Effects like this may grow in frequency and severity as further testing reveals the ubiquity of PFAS throughout California. Water agencies, thus, should remain vigilant as the regulatory landscape evolves.

LATEST POSTS

- [Cal/OSHA Issues FAQ Guidance Regarding Its COVID-19](#)
- [Reconciling the Gig Economy in California: Changes to W](#)
- [California Consumer Privacy Act 2.0 – What You Need to](#)





Firefighting Foam/PFAS was created with 3M & The Naval Research Laboratory in the 1960's after an aircraft carrier fire killed many sailors & injured many airmen. **Where is the foam found?** industrial sites, airports, fire-fighter training stations, military bases, naval ships, and anywhere where fires were put out with foam.

U.S. Department of Veteran Affairs has also begun warning veterans about the increased risks of breast cancer, pancreatic cancer, prostate cancer, testicular cancer and kidney cancer after being exposed to the fire-fighting foam in military facilities.

Cancer-causing foam could be banned in military training in 2021 & off military bases entirely by 2029

Under a congressional plan, Navy officials would have to identify a non-toxic alternative in the next five years.

Note by Teena: Bill by U.S. Rep. Chris Pappas July 2019

Leo Shane III

Firefighters need these firefighting foams to be able to extinguish these fires extremely quickly, because often times the fires are in close quarters, with military personnel, munitions, buildings and expensive aircraft. Officials are looking for safer alternatives that can put out fires quickly enough to save lives and property. In 2021, the NDAA (**National Defense Authorization Act**) was re-authorized, funding multi-millions to clean up 600 military bases and test service women and men's blood for PFAS.

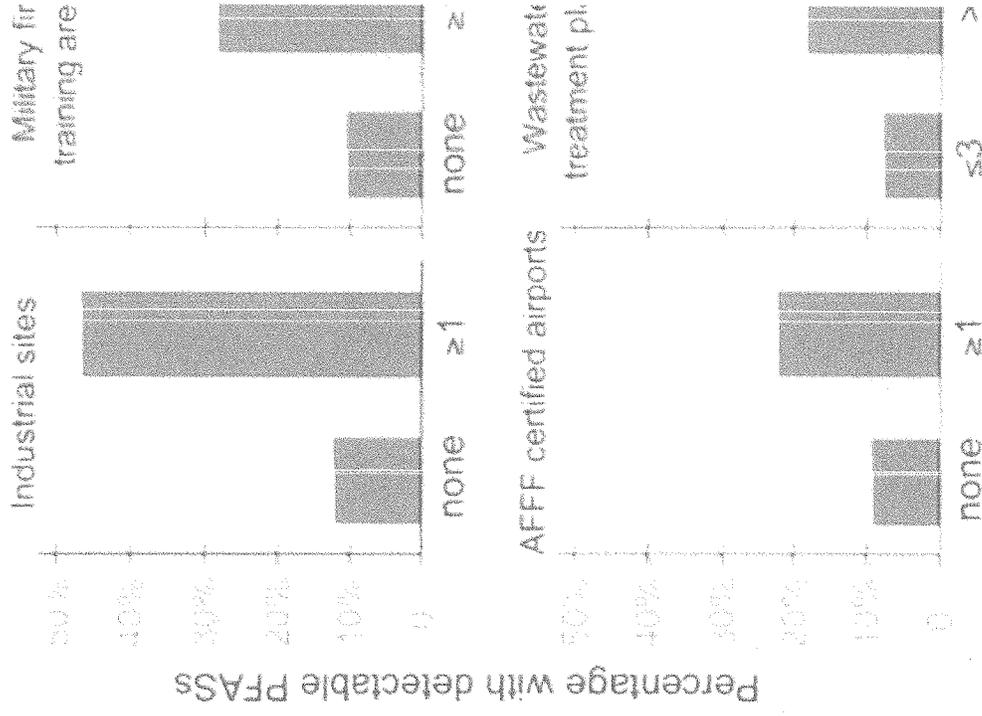
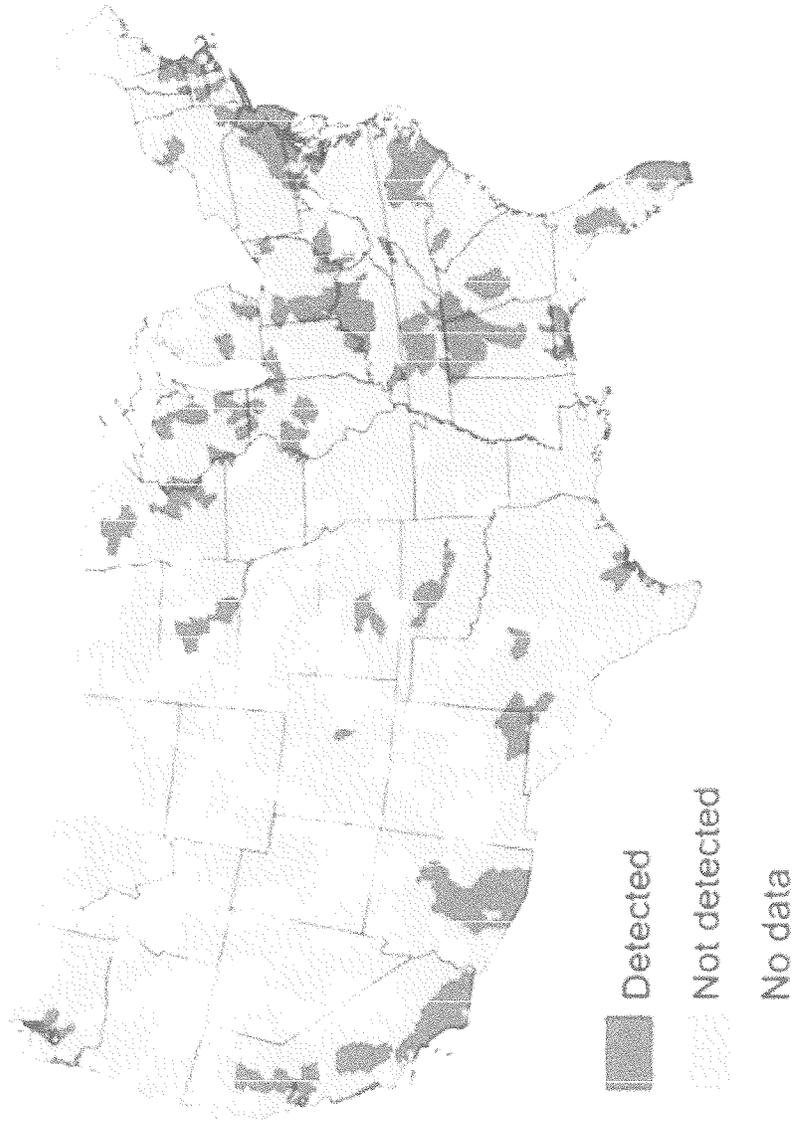
<https://www.militarytimes.com/2019/07/14/heres-an-updated-map-of-military-sites-where-dod-found-cancer-causing-chemicals-in-the-drinking-water/>

FIRE FIGHTING FOAM

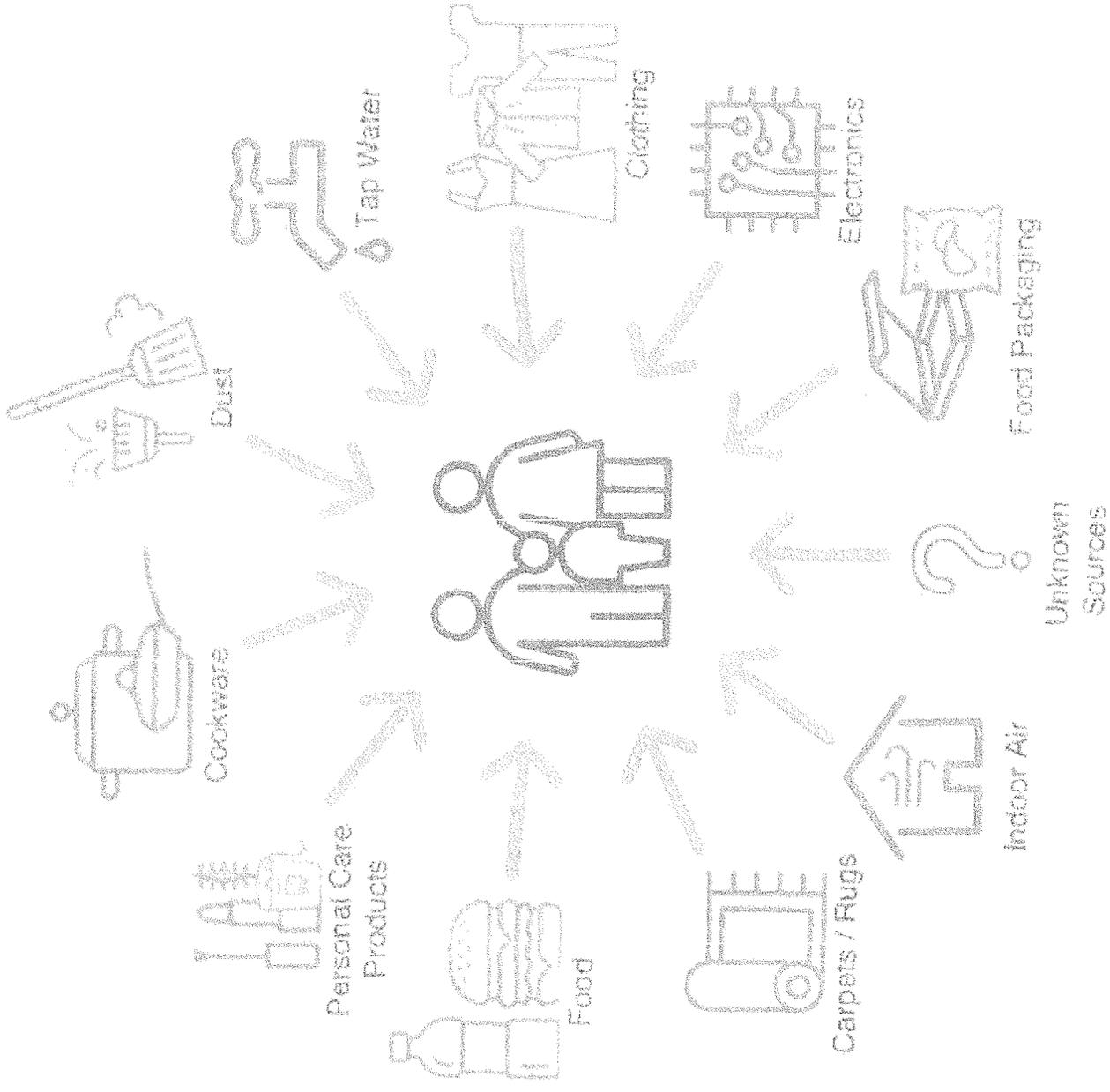
Linked to:

- * Cancer**
- * Liver damage**
- * Harm to the Reproductive system**
- * Harm to the IMMUNE system**

Hydrological units with detectable PFASs



AFFF= Aqueous Fire Fighting Foams . "Detection of PFAS in U.S. Drinking Water Linked to Industrial sites, Military Fire Training Areas and Wastewater Treatment Plants": Found drinking water supplies for 6 million U.S. residents exceed US EPA's lifetime health advisory (70 ng/L) for PFOS and PFOA in 2016. Note: Advisory is not enforceable <https://pubs.acs.org/doi/pdf/10.102/acs.estlett.6b00260> , <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5062567/>



C8 (PFOA) link to 6 diseases

The Science Panel has determined that a probable link exists between C8 (PFOA) and the following 6 diseases:

- Kidney Cancer.
- Testicular Cancer.
- Ulcerative Colitis.
- Thyroid Disease.
- Pregnancy Induced Hypertension (including preeclampsia)
- Hypercholesterolemia.

C8 Science Panel Probable Link Findings

HEALTH EFFECTS – “Forever Chemicals” or PFAS

- The blood of nearly all Americans is contaminated with PFAS. CDC & EWG.org 2020
- Some PFAS can build up and stay in the human body for many years.
- “Forever Chemicals” do not break down: are now found in the blood of newborns.
- Human exposures via food, water, dust, air or consumer products.
- **PFAS are poorly absorbed thru skin. March 30, 2019** - PFOA banned in U.S. in 2014

PFOA: pancreatic cancer in rats

Liver, spleen, bone marrow, high cholesterol and triglycerides implicated for heart, Aug. 2018 Diaz

Testicular, kidney, liver & pancreatic cancer; weakened childhood immunity; low birth weight; endocrine disruption; increased cholesterol; weight gain in children & dieting adults. EWG = Environmental Working Group

Linked to testicular, prostate & kidney cancer; decreased fertility; pregnancy-induced hypertension

PFAS increases risk of cancer; harms fetal development; reduces the effectiveness of vaccines

PFAS: liver damage, thyroid disease, decreased fertility, high cholesterol, obesity, hormone suppression, cancer 2-14-19

PFAS: cancer, liver damage, & thyroid disease.
and increased risk of asthma & thyroid disease.

PFOA: uterine fibroids, polyps, early menopause in animal studies

-REMOVAL METHODS of FOREVER CHEMICALS-

It will take your efforts to bring changes

WATER COMPANIES:

**Granular Activated Charcoal Filtration (GAC)– but will not remove GenX
Low Pressure Reverse Osmosis, RO, (membrane filtration) removes GenX**

WASTEWATER TREATMENT:

Same as above: both GAC & RO

HOME TREATMENT: Carbon filtration, reverse osmosis and anion exchange treatment

DISPOSAL: Incineration at designated & approved places

ADVOCACY ACTION YOU CAN TAKE!

[*View Documentary Movies: “Dark Waters”; “The Devil We Know”; “GenX: A Chemical Cocktail” trailer](#)

3 bills in Congress

Please call the White House Operator 1-202-225-3121; ask to be connected to your Congressional Member’s Office to leave a message.

- H.R.535 “PFAS Action Act of 2019”, by Debbie Dingell (D-Mi-12) passed the U.S. House; to U.S. Senate since Jan. 2020; Calls need to go to U.S. Senators: Mitch McConnell & Rand Paul; also President *Within 1 yr. of passage, Administrator of U. S. EPA shall designate PFOA/PFOS & their salts as hazardous substances. Also this Administrator shall investigate methods & means to prevent contamination by GenX of surface waters, including source waters used for drinking water.
- * Not later than 5 years after enacted, the Adm. Of U.S. EPA shall determine whether to designate all per- and poly- fluoroalkyl substances (not including the above) as hazardous substances individually or in groups.
- H.R. 2377 Protect Drinking Water from PFAS Act: by Rep. Brendan Boyle (D-PA-2) Call your U.S. Representative at 1-202-225-3121. “To amend the Safe Drinking Water Act to require the Administrator of the EPA to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per-and polyfluoroalkyl substances, and for other purposes.”
- H.R. 2605 PROTECT ACT = Prevent Release of Toxics Emissions, Contamination, and Transfer Act of 2019: by Rep. Haley Stevens (D-Mi-11). Call your U.S. Representative. Haley Stevens (D-Mi-11)* Requires U.S. EPA to issue a final rule adding per and poly-fluoroalkyl substances with at least one fully fluorinated carbon atom to the list of **hazardous air pollutants**, and *to revise the **list of air pollution sources** within 365 days after issuing the rule into categories and subcategories of major area sources of per and poly-fluoroalkyl substances.