



December 22, 2016

Hon. Peter Shumlin  
Hon. Phil Scott  
Office of the Governor  
State of Vermont  
109 State Street  
Montpelier, Vermont 05600-0101

Dear Governor Shumlin and Governor-Elect Scott:

Thank you for your letter of December 12, 2016. Saint-Gobain Performance Plastics (SGPPL) has made it a top priority to provide the residents with drinking water that meets or exceeds federal and local advisories for PFOA. From the testing program to the bottled water program to the installation of the point-of-entry, carbon filtration systems (POETs), all of which we funded, it has been a tribute to the cooperation between your agencies and SGPPL that we were able to remediate the issue so quickly. It was only a few months from the time that PFOA was found in private wells in Bennington County (February 25) until all of the impacted residences had whole-house POETs installed by our vendor at your request and PFOA is no longer detectable in drinking water from those wells. These filtration systems have proven to be effective for remediating PFOA in drinking water and are accepted as a remedy by the United States Environmental Protection Agency. As USEPA explained in recognizing POETs as an appropriate means of treating PFOA in private wells, the effectiveness of GAC treatment “applies regardless of scale.” USEPA, *Drinking Water Health Advisory for PFOA* (May 2016) at 65. The POETs that have been installed on private wells in Bennington County work the exact same way and are just as effective as the GAC systems approved by the State in Pownal and by the State of New York Department of Health in Hoosick Falls. SGPPL thus believes that there is already an effective permanent remedy in place.

However, consistent with our close collaboration with the State, we remain willing to discuss whether it would be more efficient to extend municipal water lines to certain homes. We look forward to our continuing work with the State in 2017 and to discussing an agreed approach based on the science, feasibility, and reasonableness. We stand by the detailed comments we previously submitted to ANR’s proposed rule on PFOA, which we understand was finalized last week.

We understand that the people of Vermont are very concerned about PFOA, and as Vermont’s executives you must be responsive. However, it is our view that the statements in your letter about the health effects of exposure to PFOA are not supported by reliable science. While your letter says that PFOA “can cause serious health effects,” even with exposures far exceeding the regulatory threshold in ANR’s final rule, the generally accepted consensus in the scientific and regulatory communities is that the data do not demonstrate causation in humans.

For example, as recently as April 2016, in its “Facts about PFOA for Concerned Residents,” the Vermont Department of Health acknowledged that “[s]tudies have also shown a correlation – but not a cause-and-effect relationship – between levels of PFOA in the blood and high blood pressure, decreased birth weight, some immune system effects, thyroid disease, kidney cancer and

testicular cancer.” Vermont Department of Health also determined earlier this year that there is no indication that there has been any increased incidence of kidney or testicular cancer among people living in Bennington or North Bennington.

Likewise, in August 2015 a division of the United States Centers for Disease Control, addressing a large number of studies that have examined the possible relationship between levels of perfluoroalkyls in blood and adverse health effects in workers, residents living near manufacturing facilities, and in the general population, noted that these studies do not establish causality.

These agencies are not alone. By way of further example, in June 2016, the New Hampshire Department of Health and Human Services stated that “[w]hile there are some studies that inconclusively suggest a relationship between PFC exposure and a health effect, there are also many studies looking at the same health outcome that do not show a relationship with PFC exposure. Given the inconsistent and sometimes contradictory findings in the medical literature, we cannot be sure about the health effects of PFCs on humans.”

An additional important factor in our discussions is that SGPPL ceased all operations in the Bennington area in 2002, and therefore ended any potential contribution of PFOA into the area nearly 15 years ago. In contrast, this is not the case with PFOA released by the degradation of fluoropolymers and telomers that were used in many common consumer products that are regularly found in landfills and that continue to be discarded into landfills. Given that the State of Vermont has enacted a drinking water regulation that sets the level of PFOA in drinking water very close to the analytical detection limit, and the fact that drinking water in the proximity of landfills will continue to be impacted by PFOA from consumer products for extended periods of time, the State should seriously consider the remediation plans that local landfill owners and operators, as well as municipalities will be required to put in place as they will of course need to be consistent with any remedy that the State is seeking from SGPPL.

Finally, we believe it is premature for the State of Vermont to have reached the conclusion set forth in your letter that SGPPL “is responsible for the cleanup of this contamination and other actions necessary to protect public health and the environment...” The investigation is on-going and other potential sources of PFOA have not been evaluated by the ANR.

As we have from the beginning, SGPPL remains committed to addressing these issues together with you and look forward to continuing the cooperative relationship we have had with the State in evaluating whether any additional remedial actions should be undertaken given that an effective permanent remedy already is in place and, if so, what actions make sense from a scientific, engineering, and economic perspective. ***Our team will be reaching out to Governor-Elect Scott’s office in hopes of setting up a meeting in early 2017 to include the new head of ANR.***

Sincerely,



Thomas Kinisky  
President and CEO