



*Protecting, Maintaining and Improving the Health of All  
Minnesotans*

April 22, 2022

Representative Rena Moran  
Chair, Ways & Means  
449 State Office Building  
St. Paul, MN 55155

Representative Rick Hansen  
Chair, Environment and Natural Resources  
407 State Office Building  
St. Paul, MN 55155

Dear Chair Moran & Chair Hansen,

I am writing to you this Earth Day to express my appreciation for the inclusion of so many of the Administration's environmental and public health priorities in the Environment and Natural Resources Omnibus bill. MDH receives significant resources for its environmental and public health related work through this bill each year. I greatly appreciate your efforts and want to highlight MDH activities included in this bill, and to bring up a concern I have with one provision regarding rulemaking.

**Lead and Cadmium in Consumer Products**

By extending and clarifying language banning lead and cadmium in consumer products, Minnesota will gain greater regulatory oversight over a range of products that have been found or suspected to contain these toxic metals. The investment in additional testing capacity will improve the ability of the Chemicals in Products Interagency Team (made up of the Departments of Commerce and Health, and the Pollution Control Agency) to purchase and test for these metals in suspect products, and to take action to remove them from the marketplace.

**Drinking Water**

A safe, dependable, and affordable supply of drinking water is an essential condition for healthy people and healthy economies in Minnesota. I am pleased to see the inclusion of flexible grant funding targeted at removing the privately owned portion of lead service lines. As no amount of lead in drinking water is safe and the damage caused by lead is irreversible, timely replacement of lead service lines will result in increased productivity and positive outcomes for children living in these homes. This support will also help Minnesota's community water systems comply with new federal Lead and Copper Rule requirements for replacing both the private and publicly owned portions.

**Environmental Justice**

MDH supports MPCA in its efforts around environmental justice. Several provisions in the bill are intended to facilitate this work, and MDH will provide technical assistance to MPCA and local

communities as needed. Addressing health inequities is a key part of environmental justice work, and MDH will work collaboratively with MPCA to determine how best to address this complex issue.

### **Pig's Eye Landfill Task Force**

The Pig's Eye Landfill in St. Paul has been a source of contamination near and to the Mississippi River for decades, and the finding of perfluoroalkyl and polyfluoroalkyl substances (PFAS) at the site is especially concerning. MDH has conducted several evaluations of the public health concerns associated with the site over the years, and looks forward to participating with federal, state and local partners in the Task Force to address the PFAS contamination and to develop recommendations for the remediation and restoration of the site in a way that will protect the environment and public health.

### **PFAS Provisions**

PFAS contamination of our water resources is a growing concern. As prevention of harm is the highest goal of public health, actions that can remove sources of PFAS before they can enter the environment are especially impactful and could prevent the costs of addressing PFAS contamination from being passed on to the communities who operate our drinking water, waste disposal and wastewater systems. MDH will work closely with the MPCA on the implementation of the PFAS Blueprint and associated monitoring plans to ensure our drinking water sources are protected.

### **Health Risk Limit for Perfluorooctane sulfonate**

The requirement to promulgate a Health Risk Limit (HRL) for perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that it does not exceed 0.015 parts per billion is duplicative and unnecessary. MDH has already begun the next round of HRL rule updates and it includes a proposed HRL for PFOS of 0.015 parts per billion, and is in compliance with Minnesota Statutes, section 144.0751, requiring a reasonable margin of safety to adequately protect the health of infants, children, and adults. This provision should be deleted from the final bill.

Thank you to Chair Hansen for your efforts in creating this bill and thanks to both of you for your investment in environmental and public health work in Minnesota.

Sincerely,



Jan K. Malcolm  
Commissioner

cc: Representative Ami Wazlawik, Representative Josh Heintzeman, Representative Ryan Winkler, Representative Melissa Hortman, Representative Kurt Daudt