From: Jim Powell (Midwest Environmental Justice Organization)
To: Sustainable Madison Committee
Subject: Comments - agenda item 5. Letter Regarding PFAS
Date: Sunday, March 21, 2021 11:35:14 AM

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Dear Committee members:

I am writing to provide some background pertinent to the letter regarding PFAS that you be discussing at Monday's meeting.

In 2019 I led efforts to create a PFAS task force and secured unanimous approval from your committee, the Board of Health, Water Utility Board and the then-existing Committee on the Environment in early 2019. The proposal then languished for seven months with the Common Council Executive Committee. In spite of early support for the task force by the Mayor, her staff, working with city and county officials, including the County Board chair, worked quietly to scuttle the idea. The City has shared liability withe County and military for the PFAS pollution in Starkweather Creek and Lake Monona and realized that a public process whereby it would be forced to share information about the extent of the pollution and its efforts to put the blame on the County and military would not make it look good publicly. In addition, the sewerage district fought tooth and nail to make sure a task force was not created since it has been spreading its sludge on County farmland for decades. That sludge undoubtedly contains PFAS but to date the district has refused to test for it (or rather, admit that it tested for it). No news is good news, from their perspective.

So in passing your agenda item, you will be asking City staff and elected officials to do something that they already determined was not a good idea. The County hired an attorney to work exclusively on PFAS problems and has claimed attorney-client privilege on all communication among County, City and military officials. I'm not even sure if this is valid argument but it goes to show the length that our public officials are willing to go to ensure that the public does not know the extent of the pollution and it's incredibly slow response (it's been three years!) in addressing it. I am not aware of any new developments that might improved the success of the creation of a PFAS task force.

That said, one thing that you could add to the letter is a request that the City invite the DNR to hold a public meeting to discuss local PFAS contamination. The DNR has held twenty-two (!) public meetings in Marinette regarding PFAS issues there caused by a corporation. The DNR has held zero meetings on PFAS pollution here,-which has the highest levels in the state, and was caused by governmental actions of the City, County and military. I wonder why?

Thank you.
JIM POWELL

New post on **Midwest Environmental Justice Organization**

PFAS Task Force RIP

by Jim Powell

As we've experienced for twenty years in Madison, local government prefers to keep the public out of actions it takes--or does not take--regarding locally-occurring toxic pollution problems.

The proposed Madison-Dane County PFAS Task Force was quashed by the city and county, which does not like the public involved in its toxics problems (both are "responsible parties" for the PFAS contamination that has been in the news). If I had written this opinion piece before yesterday's news that PFAS chemicals in Starkweather Creek foam topped 100,000 ppt per trillion, I would have named that as primary evidence for needing a public PFAS Task Force; otherwise we just have the mayor saying she is "concerned" and that the Parks Division(!) will keep an eye on it.

The Cap Times - December 21, 2019

Local officials prefer to discuss PFAS contamination behind closed doors

By Jim Powell | guest columnist

Apparently government officials don't think PFAS is a very serious problem in the first place — and don't want the public to have any voice in what to do about it.

In February, the Midwest Environmental Justice Organization advocated for a public PFAS task force. One of its core purposes was to provide a venue for residents to engage in city and county decisions about public health and environmental risks from PFAS contamination, which our community will face for generations to come.

Then-Madison Ald. David Ahrens graciously wrote a council resolution to create it. We and many others supported the resolution at the Water Utility Board, Board of Health and Committee on the Environment in the following months — and each of them unanimously approved it.

However, the resolution then languished for six months at the Common Council Executive Committee before being "placed on file" — essentially, killed — in October. What happened?

Apparently government officials don't think PFAS is a very serious problem in the first place — and don't want the public to have any voice in what to do about it. Behind the scenes, city and county staff actively fought the resolution and created their own internal, non-public PFAS working group behind closed doors.

After reviewing the draft resolution, on Feb. 17, Doug Voegeli, environmental health supervisor at Public Health Madison Dane County, wrote to city staff: "I do not want this taskforce…it sends a message that we (PHMDC) are concerned about the health impact of these contaminants, and we are not." When he received many staff emails opposing the resolution, assistant city attorney Doran Viste tried to "put the brakes" on it.

Dane County, which owns the highly PFAS-contaminated Truax Field, also

worked to kill the task force. The County Board chair convinced the city sponsors to kill the resolution. Repeated requests that the county hold public meetings on PFAS were ignored — and County Executive Joe Parisi flatly refuses to engage publicly on it in any way.

Meanwhile, Dane County Regional Airport officials have been arguing that the county is not responsible for the PFAS contamination in Starkweather Creek — trying to pin blame only on Truax Air National Guard — even though the county owns the land beneath the base and the military is a co-permittee of airport on its DNR stormwater permit, and is served by the ANG fire department.

What about Mayor Satya Rhodes-Conway? While running for office, she publicly supported the task force resolution, but once elected, did nothing to keep it from being quashed. Further, at a December Common Council Executive Committee meeting, she downplayed PFAS risks, suggesting that the public should be more concerned about other contaminants.

Meanwhile, ongoing meetings of the city-county "PFAS Working Group" created months ago are not public, so there is no way for citizens to raise questions, provide input or even find out what was discussed. These public employees do not report their work to any committee or elected body.

Our local government's progressive reputation? The sad fate of the PFAS task force is about as non-democratic as it gets. Resident involvement? No. Secret meetings? Yes. Stonewalling citizens? Standard operating procedure.

Jim Powell has worked for Citizens for a Better Environment, Wisconsin Stewardship Network and the Madison Northside Planning Council, and is currently on the Madison-based Midwest Environmental Justice Organization board of directors.

Jim Powell | December 21, 2019 at 11:40 am | Tags: PFAS, Toxics, Truax | Categories: City of Madison, Community engagement, Environmental Justice, Fish, PFCs or PFAS, Starkweather Creek, Toxic Chemicals, Truax, Water quality, Wisconsin DHS | URL: https://wp.me/p46pft-1tP

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