



American Sustainable Business Network

The Honorable Thomas Carper
Chairman
Senate Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Cathy McMorris Rodgers
Chairwoman
House Energy and Commerce Committee
2188 Rayburn House Office Building
Washington, DC 20515

The Honorable Shelley Moore Capito
Ranking Member
Senate Committee on Environment & Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Frank Pallone
Chairman
House Energy and Commerce Committee
2107 Rayburn HOB
Washington, DC 20515

Dear Chairman Carper, Ranking Member Capito, Chair Rodgers, Ranking Member Pallone:

On behalf of sustainable businesses across the country, we are concerned about the serious health threats posed by toxic “forever chemicals” known as PFAS. We strongly urge you to reject legislation introduced in the Senate that would exempt certain responsible parties from liability for polluting the environment with PFAS under the Environmental Response, Compensation and Liability Act, commonly known as Superfund.

A strong Superfund law is needed as much today as when it was created by bipartisan support in Congress in 1980 in the wake of the Love Canal tragedy and other chemical-related environmental crises. The law creates a strong incentive for responsible chemical stewardship and has been implemented by EPA to assure that polluters pay, not innocent parties. The law already addresses the concern of farmers by allowing for the normal application of fertilizer, such as the beneficial use of biosolids from wastewater treatment plants. Congressionally-directed, blanket exemptions from the law are simply unnecessary and unwise, and set a harmful precedent that undermines Superfund’s fundamental principle of “polluter pays.”

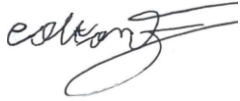
For over 40 years, Superfund has served as the nation’s preeminent “polluter pays” law, and it has facilitated restoration of over 1000 contaminated sites to support new and ongoing uses and controlled harmful chemical exposures at hundreds more. The law helps sustainable businesses by holding accountable “bad actors” who fail to follow sensible and affordable chemical stewardship practices.

Many businesses have taken the lead in making products safer, more sustainable, and free from harmful chemicals, including PFAS. Listening to the demands of consumers and governments, these manufacturers and retailers have found that making and selling products without harmful chemicals is both safer and profitable. Coverage of PFAS under Superfund will provide a level playing field for businesses that choose to manufacture, distribute, and sell PFAS-free products to compete with businesses that do not factor human health and the environment into their decisions. Further, preventing PFAS from entering water supply is vital for the local economies and businesses across the country that depend on clean water, from beverage manufacturers and agriculture to outdoor recreation and fishing.

The American Sustainable Business Network (ASBN) is a movement builder in partnership with the business and investor community. As a multi-issue, membership organization advocating on behalf of

every business sector, size, and geography, ASBN and its association members collectively represent over 250,000 businesses across our networks. We urge Congress to stand with sustainable businesses and *support the battle against PFAS* instead of giving a free pass to polluters and surrendering Superfund law's core principle of "polluter pays."

Sincerely,

A handwritten signature in black ink, appearing to read "Colton Fagundes", with a stylized flourish at the end.

Colton Fagundes
Policy Director, American Sustainable Business Network