



Resolution 15-2
Approved September 2, 2015
Newport, Rhode Island

Revised August 30, 2018
Stowe, Vermont

Revised December 1, 2021
Via Email Vote

As certified by
Donald Welsh
Executive Director

SUPPORTING WORK ON EMERGING CONTAMINANTS

WHEREAS, emerging contaminants are chemicals of interest that are measured in the environment for which there is a real or perceived threat to human health and/or the environment and for which there is no currently published enforceable federal environmental or health regulatory standard, or the existing standard is evolving or being re-evaluated; and

WHEREAS, most emerging contaminants are not regulated; impact a variety of environmental media overseen by more than one federal program; and lack a consistent, clear regulatory authority to respond to their release; and

WHEREAS, states are addressing a number of emerging contaminants by researching their toxicities, establishing guidance, and working through sampling, source reduction, and treatment methodologies; and

WHEREAS, ECOS, EPA, the U.S. Department of Defense (DoD), other federal agencies, and other organizations of state and local officials work collaboratively on emerging contaminant issues through forums such as the Interstate Technology and Regulatory Council (ITRC) teams on PFAS, 1,4-dioxane, and harmful algal blooms, and have published a number of relevant reports including the Association of Clean Water Administrators' and Association of State Drinking Water Administrators' joint May 2019 Recommendations Report for Contaminants of Emerging Concern, which recommends that stakeholders:

- Establish a national priority framework and/or research agenda for priority setting,
- Engage industry to develop and improve access to comprehensive chemical data,
- Increase coordinated monitoring across resource management programs,
- Expedite risk assessment and response, and
- Improve risk communication; and

WHEREAS, the fiscal year 2020 National Defense Authorization Act urges the National Institute of Environmental Health Sciences and other federal agencies to assemble a research initiative to address emerging contaminants in drinking water; and

WHEREAS, there are still large information gaps to fully understand and get ahead of emerging contaminants.

NOW, THEREFORE, BE IT RESOLVED THAT THE ENVIRONMENTAL COUNCIL OF THE STATES (ECOS):

Urges responsible parties, federal agencies, and states to commit to using and developing methods to investigate whether an emerging contaminant is present, even if risks from these contaminants have not been fully determined, as well as to regulate the contaminant in a manner proportionate to its known or suspected risk to human health and the environment;

Urges acceleration of the efforts to advance science, promulgate standards, and enhance regulatory certainty and authority to respond directly to the release of emerging contaminants under a broad range of federal laws via diverse actions (e.g., standards development, toxicological research, banning chemical uses), and with the inclusion of all federal entities and relevant stakeholders;

Reinforces the need for increased collaboration and information exchange between states and the federal government to identify, monitor for, assess potential hazards and risks of, develop treatment methods for, and address exposures from emerging contaminants, as well as identify safer alternatives, advance the use of alternatives assessment, and use all available tools to prevent contamination; and

Requests that Congress and federal agencies expeditiously direct increased resources to:

- Identifying emerging contaminants based on environmental fates and transport properties, persistence in the environment, human half-life and/or human or ecological toxicity,
- Understanding the hazards and risks associated with emerging contaminants to address their human and environmental impacts,
- Supporting EPA, the National Toxicology Program (NTP), and other federal agencies and efforts to expand toxicology research and studies on emerging contaminants,
- Supporting states' risk communication work on emerging contaminants to include effective measures to reduce exposure to PFAS, and
- Supporting state and local laboratories to continue to develop environmental testing methods and capabilities for emerging contaminants and establish federally-approved methodology.