

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2018-08]

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Action Team

September 19, 2018

Whereas, Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania guarantees the Commonwealth's citizens the right to clean air, pure water and to the preservation of the natural, scenic, historic and aesthetic values of the environment; and

Whereas, Perfluoroalkyl and polyfluoroalkyl substances (PFAS) have been classified by the United States Environmental Protection Agency (EPA) as an emerging contaminant; and

Whereas, PFAS are man-made chemicals and have been used in thousands of processes and products across every sector of the United States' economy; and

Whereas, these substances are stable and persistent chemicals, breaking down very slowly in the environment, and are bioaccumulative and toxic; and

Whereas, there are public health and environmental concerns regarding PFAS chemicals found in our homes and in our environment, including in contaminated soils, surface water and groundwater, at sites across Pennsylvania; and

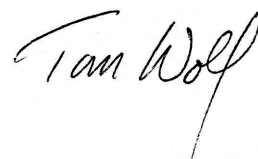
Whereas, in May 2016, the EPA established a lifetime health advisory level (HAL) for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) in drinking water of 0.07 micrograms per liter; and

Whereas, a cooperative, coordinated and thorough response is necessary to identify, remediate, and mitigate PFAS sources of contamination in the Commonwealth; and

Whereas, it is necessary to comprehensively assess the potential environmental and health effects of PFAS and recommend strategies to reduce or eliminate these impacts; and

Whereas, it is vital that the Commonwealth of Pennsylvania create and implement a scientifically-sound, thoughtful, holistic and proactive approach to addressing this emerging contaminant.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution and laws of the Commonwealth of Pennsylvania do hereby establish the PFAS Action Team and do order and direct the following:



Governor

Fiscal Note: GOV-2018-08. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART 1. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter GGG. PERFLUOROALKYL AND POLYFLUOROALKYL
SUBSTANCES (PFAS) ACTION TEAM

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§ 6.711. Functions.

The Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Action Team:

- a. Ensure drinking water is safe. Identify impacted locations and resources and create and implement an action plan to assist State and local authorities and public water systems in delivering safe drinking water.
- b. Manage environmental PFAS contamination. Develop and implement environmental response protocols for all positively identified sites.
- c. Develop specialized site plans, engaging the public and other relevant stakeholders, where appropriate.
- d. Reduce risks to drinking water and the environment from firefighting foam and other sources of PFAS. Identify PFAS uses that are most likely to pose a risk to human health and the environment, such as the use of firefighting foam, industrial releases, carpets, food packaging materials and other uses. Develop recommendations and actions that can be taken to limit or control these and other sources of PFAS.
- e. Develop a clearinghouse of information on PFAS. Establish a public information site and protocol to effectively inform and educate the public about PFAS.
- f. Establish a standard process for sharing pertinent information between all members of the Task Force.
- g. Explore avenues of funding for remediation efforts.
- h. Engage with academic institutions and experts in the fields such as public health and environmental remediation, among others, when necessary.

§ 6.712. Composition.

a. The Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Action Team shall consist of:

- (1) the Secretary of the Department of Environmental Protection, who will serve as the Chairperson of the Action Team;
- (2) the Secretary of the Department of Health;
- (3) the Secretary of the Department of Military and Veteran Affairs;
- (4) the Secretary of the Department of Community and Economic Development;
- (5) the Secretary of the Department of Transportation (PennDOT);
- (6) the Secretary of Agriculture; and
- (7) the State Fire Commissioner.

b. The Secretary of the Department of Labor and Industry, the Executive Director of the Fish and Boat Commission, and the Chairperson of the Public Utility Commission may participate in the functions of the PFAS Action Team as requested by the chair.

c. Each agency Secretary, Executive Director, and Chairperson on the PFAS Action Team may designate an appropriate member of their staff to participate on their behalf.

§ 6.713. Effective Date.

This Executive Order shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

[Pa.B. Doc. No. 18-1551. Filed for public inspection October 5, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE
Amendment to Proclamation of Disaster Emergency

September 24, 2018

Whereas, on January 10, 2018, I declared a disaster emergency due to the opioid crisis that is ravaging the country, including the Commonwealth of Pennsylvania and its citizens;

Whereas, my Proclamation of Disaster Emergency of January 10, 2018, was renewed by Amendment to Proclamation of Disaster Emergency (1st Amendment) on April 4, 2018 for an additional ninety days. The April 4, 2018, 1st Amendment would have automatically expired on July 3, 2018, unless further extended by my official renewal;

Whereas, I renewed the Proclamation of Disaster Emergency for an additional ninety days by official action on June 28, 2018. The June 28, 2018, Amendment to Proclamation of Disaster Emergency (2nd Amendment) is set to expire by operation of law on September 26, 2018, unless further extended by my official renewal;

Whereas, the opioid crisis continues to be of such magnitude or severity that emergency action is necessary to protect the health, safety and welfare of affected citizens in Pennsylvania;

Whereas, the opioid crisis continues to be a public health emergency in Pennsylvania contributing to addiction, overdose emergencies and deaths; and

Whereas, investigations by the Opioid Unified Coordination Group indicate that additional resources of the Commonwealth may be needed to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency.

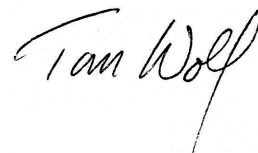
Now Therefore, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7301(c), I do hereby order and direct as follows:

1. The Proclamation of Disaster Emergency of January 10, 2018, renewed by Amendments to Proclamation of Disaster Emergency dated April 4, 2018, and June 28, 2018, is renewed for an additional period of ninety days, and shall continue to apply to the Commonwealth of Pennsylvania.

2. All directives, authorized actions and provisions of the January 10, 2018, Proclamation of Disaster Emergency, and the April 4, 2018 and June 28, 2018, Amendments to Proclamation of Disaster Emergency shall remain in full force and effect until either rescinded by me, or terminated by operation of law ninety days following the effective date of this Proclamation Amendment.

3. This Proclamation Amendment shall take effect immediately.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty-fourth day of September two thousand eighteen, the year of the commonwealth the two hundred forty-third.



Governor

[Pa.B. Doc. No. 18-1552. Filed for public inspection October 5, 2018, 9:00 a.m.]