

# Scientist finds self at center of storm

MPCA researcher to testify  
in hearing over 3M chemicals

BY DENNIS LIEN  
*Pioneer Press*

Fardin Oliaei could have backed off when her supervisors turned down her research proposals and rejected her requests to speak at scientific conferences.

But Aliakbar Oliaei's daughter hadn't done anything like that before, and she wasn't about to start.

So now, as questions are raised about a troubling family of chemicals once made by 3M Co. downriver from St. Paul, the Minnesota Pollution Control Agency scientist is finding the spotlight on herself as much as on her research. More than anything, she wishes it weren't that way.

"I'd rather be in a mental hospital than here," Oliaei told the Pioneer Press in her first extended public interview.

By "here," she means her place at the center of a tempest involving the MPCA, 3M and state lawmakers who want to learn more about chemicals once made by the Maplewood-based company and now found in people and animals throughout the world. The chemicals, which don't break down in the

RESEARCHER TO TESTIFY, 6A



JEAN PIERI, PIONEER PRESS

"I am told by the commissioner to find another job," said Fardin Oliaei, a researcher for the Minnesota Pollution Control Agency who is concerned about PFC contamination.

# Researcher to testify

(continued)

environment and have been linked to health problems such as cancer, have prompted several lawsuits across the country. Those include cases in Washington County, where the chemicals have been found in groundwater.

On Tuesday, Oliaei, who has been pressing her employer to uncover more about the chemicals, will testify at a state Senate hearing into whether the MPCA, as the state's environmental protector, is handling the issue adequately.

How Oliaei, a soft-spoken woman who emphasized that she isn't speaking for the agency, found herself in this situation is, in some ways, a testament to her father's influence. He instilled a resolve in his seven children, urging them to study, to achieve academic success, to persevere and to be independent.

"My father greatly encouraged us to get the highest possible degree we could get," Oliaei said. "It was his dream."

Growing up in Tehran, Iran, where opportunities for women were limited, Oliaei watched her father place on a bedroom wall a framed copy of each diploma his children earned. The construction company owner also encouraged them, she said, to dance, paint, write and listen to music.

She said he hoped to build a hospital, where his seven children would all be doctors. Instead, they all got advanced degrees in physics, pharmacy, medicine, engineering, economics and, in her case, environmental science.

Oliaei left Iran three decades ago, earned master's and doctorate degrees in the United States, got married and accepted a teaching position at Northland College in Ashland, Wis. In 1989, after having two children, she and her husband moved to St. Paul, where they accepted jobs at the MPCA.

Eventually, they divorced. To pay private-school tuition for her two boys, Oliaei worked nights,

FYI

## THE ISSUE

In recent decades, many new and high-tech chemicals such as perfluorochemical compounds, or PFCs, have been manufactured, posing health concerns that are not widely understood. For more than 50 years, 3M Co. manufactured PFCs at its Cottage Grove plant and used them in products such as Scotchgard. 3M, which began phasing out the long-lasting compounds in 2000, contends there's no evidence they cause health problems or harm the environment.

## THE HEARING

The Senate Environment and Natural Resources Committee will hold a hearing Tuesday to learn more about how the MPCA deals with these chemicals. The hearing will be at 1:30 p.m. in Room 15 at the Capitol. Several MPCA scientists will testify.

teaching environmental science at local colleges and prisons.

The 51-year-old is an avid bicyclist and runner who has completed a marathon.

Her north suburban home is filled with art. Colorful paintings are on every wall. Busts of composers adorn tables. A piano, almost covered with scientific research papers, occupies a prominent spot in the living room.

Art, exercise and a large, extended family are important, but research is her passion, she said.

At the MPCA, she began working with dioxins and other contaminants. In time, she began learning about perfluorochemicals, chemicals made by 3M over five decades for use in such products as Scotchgard and Teflon and linked to a variety of health effects, including cancer and liver problems. 3M has insisted they aren't a health or environmental problem.

In 2000, 3M began phasing them out, but not before they had turned up in the unlikelyst

places.

As the agency's emerging-contaminants coordinator, Oliaei conducted her own research, finding disturbing levels of the compounds in fish in Voyageurs National Park in northern Minnesota. Recently, she found the highest level ever recorded in fish in the liver of a smallmouth bass caught in the Mississippi River near Cottage Grove.

As she proposed more research, she ran into obstacles. Supervisors turned down her proposals as well as requests for her to speak at scientific conferences. Once, she said, they allowed a subordinate to attend a conference instead of her, at almost twice the cost.

She said her relationship with supervisors deteriorated five years ago after she filed a discrimination complaint alleging she had been denied a promotion. It worsened, she said, when Sheryl Corrigan, a former 3M manager, was named MPCA commissioner three years ago.

The friction worsened this year as the agency disciplined her for interviews she gave to a radio station and to a small local magazine. She filed a complaint against the MPCA with the Occupational Safety and Health Administration in May and a federal whistleblower lawsuit this summer, alleging harassment and violations of her free speech rights.

The agency has repeatedly declined to comment on Oliaei or her situation. In the past, it has argued it's not a research organization, a position that prompted widespread criticism when it stopped looking into why so many deformed frogs were being found in the state.

Still, Oliaei's job description says she should spend 90 percent of her time on research.

Oliaei said her willingness to challenge her supervisors has been a factor in her problems. "I was one of the very few people who would speak out on issues," Oliaei said.

"At this agency, managers can't accept criticism or concerns from staff," she added, referring to instances in which she challenged views and got the cold shoulder.

Kathleen Schuler, an environmental scientist at the Min-

neapolis-based Institute for Agriculture and Trade Policy, said Oliaei has a strong reputation as a research scientist.

"But they don't seem to be giving her the leeway to do research and publish it," said Schuler, adding, "It's important for us to understand what is happening in our Minnesota environment."

Several other local scientists said they respect her work but didn't want to speak publicly because they don't want to be drawn into the dispute.

The chairman of the Senate Environment and Natural Resources Committee, Sen. John Marty, DFL-Roseville, said Oliaei has a reputation for being "very committed, very bright and passionate about doing the right thing."

It's important, he said, to learn more about those chemicals, even if MPCA management doesn't appear interested.

"People inside and outside the agency are concerned that science is being pushed aside there," Marty said. "People who work there say that if the findings we have are desired by top management, great. But if we find things out that they don't want to hear, they ignore it or push it aside."

"In effect, they are punishing her, trying to make her look bad," Marty said. "The treatment she is getting seems to me to be totally inappropriate."

The dispute, she said, has taken its toll.

"I am completely stressed out about this," said Oliaei, who believes she has been the victim of abusive behavior.

"Everyone who knows me says, 'Fardin, how can you stand it?'" she said.

When times get especially tough, she said, she draws inspiration from her father, who died two years ago.

"I feel a connection, a strength from him," she said.

But Tuesday's hearing, she said, could be pivotal.

"I don't know what will happen to me," she said. "But this is making my body stronger, fighting this injustice."

Dennis Lien can be reached at [dlien@pioneerpress.com](mailto:dlien@pioneerpress.com) or 651-228-5588.

## **Toxic Traces** MINNESOTA PUBLIC RADIO © 2005

by Mike Edgerly, Minnesota Public Radio  
& Sasha Aslanian, American RadioWorks  
*February 22, 2005*

**3M announced in 2000 that it was phasing out its popular Scotchgard product, because the anti-stain spray contained chemicals toxic to lab animals. The chemicals had also turned up in the blood of 3M workers, though the company said its employees were not harmed.**

**3M produced the chemicals at its plant in Cottage Grove, Minnesota. An investigation by Minnesota Public Radio and American RadioWorks found that even after 3M said it would no longer make the toxic chemicals, the Minnesota Pollution Control Agency let two years pass before it began any inquiries.**

**The story raises questions about who is responsible for the safety of the public and the environment, and about whether state agencies are doing enough to protect citizens from toxic chemicals.**

### **Part 1: The science**

by Mike Edgerly, Minnesota Public Radio  
*February 22, 2005*

St. Paul, Minn. — On Jan. 25, 2005, Oakdale residents learned their drinking water was contaminated with chemicals formerly made by 3M.

At the news conference, health department scientists joined Oakdale's mayor and some of his staff at city hall to get out the word -- tests of six city wells showed that five of them were contaminated. But the amounts of the chemicals -- called PFOA and PFOS -- were small.

"Levels found in our local wells do not exceed those health-based values," said Mayor Carmen Sarrack.

In other words, Oakdale's water was safe to drink. Prompted by TV reporters, Sarrack dutifully took a drink from the city hall tap in front of the cameras.

"This afternoon I went home for lunch and had two glasses of water, and I'm still here," Sarrack said.

Oakdale is the second known location in the U.S. where traces of PFOA and PFOS have contaminated a public water supply. Drinking water near a West Virginia chemical plant has also been contaminated.

But if you got your blood tested today, it would almost certainly contain traces of both compounds found in Oakdale's water. And you would not be alone. An estimated 95 percent of adults and children in the United States would test positive for perfluorooctanyl sulfonate, known as PFOS, or a related compound, perfluorooctanoic acid, known as PFOA.

These chemicals are present around the world, including in the U.S. blood supply, the blood of 3M plant workers, as well as fish, birds and animals living far from chemical factories.

Until 2000, 3M was the sole manufacturer of this family of chemicals, which went into Scotchgard. Scotchgard is made from a chemical that breaks down into PFOS. It was primarily made at 3M's plant in Decatur, Alabama. PFOA was produced at 3M's plant in Cottage Grove, Minnesota, and sold to customers like DuPont for use in its Teflon brand of non-stick coatings.

### **SCOTCHGARD THE RESULT OF 'A LUCKY ACCIDENT'**

Scotchgard is one of 3M's signature products, helping to earn the company millions of dollars and a reputation as one of the most admired companies in America. For more than a century, 3M has been seen as a pillar of Minnesota's business community, and known for corporate good deeds and financial support of nonprofits, including Minnesota Public Radio.

Radio legend Arthur Godfrey was full of praise for 3M when he brought his CBS show to Minneapolis in 1969.

"You know who they are! 3M, my gosh, is one of the great names in American industry. Kind of like sterling on silver, is the way I like to think of them."

Scotchgard started out as a brilliant success story for 3M. It was the result of a lucky accident. The company started a major research effort on something called fluorochemicals in the 1950s. In the lab one day, chemist Patsy Sherman spilled a mixture on a lab assistant's tennis shoe. The stain turned out to be impervious to water, soap and scrubbing.

This led to innovative products like marine firefighting foam, food packaging, and most famously, Scotchgard fabric protector, introduced in 1956.

Scotchgard was a hit with housewives. In 1969, WCCO radio's Boone and Erickson featured inventor Patsy Sherman for a call-in segment on Scotchgard.

"I'd like to ask your guest whether or not Scotchgard is safe to use on items such as silk ties?" asked one female caller.

"The spray can product should be safe for any product that is safe in drycleaning," responded Patsy Sherman. "And yes, it will keep the gravy off the tie," because the gravy can't get to the thread.

Rich Purdy is a former 3M scientist familiar with the chemicals in Scotchgard.

"So if you put it on paper, the grease doesn't soak through the paper. If you put it on fabric, then it doesn't soil as easy. Or you put it on your carpet. Scotchgard or Stainmaster are two brands of carpet treatments that have that property," says Purdy. "It has those wonderful properties. And the other wonderful property of it, it doesn't break down as easy."

### **CONCERN ABOUT THE CHEMICALS**

In fact, scientists say, perfluorochemicals like PFOS and PFOA don't break down at all in the environment. Scientists are still studying how they enter humans, but it's thought to be through air and water.

Once the chemicals are in the body, 3M's medical director Dr. Larry Zobel says they hitch a ride with protein in the bloodstream, and circulate through the body.

"They're very unlike other materials that get in the body and stay a long time, which might go to fat or to bone. These materials don't. They're actively moving around the body," explains Zobel. "They bind to protein in the blood. The liver removes them and actually excretes them in the bile. So they get into the intestine, and as they're moved down the intestine they are

re-absorbed again. So they come back through the circulation back to the liver, they re-attach to protein and they circulate some more."

Zobel says PFOS stays in the human body about five years, and PFOA almost four. Scientists say that chemicals that stay in the body or stick around the environment aren't necessarily a problem -- unless they turn out to be toxic.

Rich Purdy says when he joined 3M in 1981, it was his job to evaluate the environmental safety of the company's products, including Scotchgard. He says he noticed that the chemical structure of PFOA and PFOS -- carbon attached to fluorine -- was similar to other well-known environmental toxins.

"You know about chlorinated chemicals -- the dioxins and DDT and so forth. ... Fluorine belongs to the same -- in the periodic table, it's right next to chlorine. ... And so you would expect that they'd be similar in several properties," says Purdy. "Everyone in my group had concerns about them. ... We didn't have data that showed that they were very toxic or anything, but we looked at it in two ways. One was that you should find out. But the other one is, that even if they aren't, you need to do the testing, because somebody else is going to look at the structure and ask the questions."

Purdy says in the 1990s, 3M tested the compounds in lab rats and monkeys, and the chemicals proved toxic. But 3M says the chemicals have not caused health effects in its workers.

Michael Santoro, 3M's director of health safety, is working on the corporation's fluorochemical investigation. He says the company began monitoring its chemical plant workers for PFOS in the 1970s. He says the company kept working to improve its detection techniques.

In the 1990s, 3M was able to identify the presence of the chemical down to the level of parts per billion. That's a level so small, it's like picking one second out of 32 years. In 1997, a lab comparing 3M workers' blood to randomly chosen Red Cross samples found the chemicals were present in the blood bank samples, too. This indicated the chemicals had become widespread in humans, though at low levels.

Santoro says 3M began looking for a safer formulation to replace the old Scotchgard.

"There were a number of factors that came together that said to us, 'You know, it seems to us that phasing out here would be the most appropriate thing to do,'" said Santoro.

#### **SCOTCHGARD REMOVED FROM THE MARKET**

On May 16, 2000, 3M made its announcement. The company's press release said the low levels of chemicals present in humans and the environment did not pose a health risk. Still, the company said it would phase out Scotchgard as a part of responsible environmental management.

3M says the decision cost it \$325 million in annual sales. DuPont, 3M's major customer for PFOA, began making the chemical itself. Anyone wanting to make or use PFOS in the U.S. must now get permission from the EPA.

In May 2000, when the phaseout was announced, Karen Studders was serving as the commissioner of the Minnesota Pollution Control Agency. She remembers the day she learned 3M would no longer make Scotchgard in its original formulation.

"It was either one of two things. It was either 3M actually called the commissioner's office, or one of the senior staff came into the commissioner's office and relayed it to me," says

Studders. "So we actually heard about it before it was public. And I believe I saw it in the Star Tribune and the Pioneer Press, a few days later."

The story made the front page of the Star Tribune, and the front of the business section of the St. Paul Pioneer Press. After the news broke, Studders said she took no steps on the Scotchgard matter beyond her office. She did not ask for a meeting with 3M.

"I don't think I really did, personally. I really think I'd recall that if I'd done that," Studders says. "What I do recall, however, is talking with staff that work on compiling information about new and emerging chemistry and chemicals, and talking to them to see what information we had."

Even though 3M cited environmental concerns in its voluntary decision to quit making the chemicals, the MPCA would not begin to investigate the places where the chemicals had been developed and disposed of for another two years.

Staff and managers of the MPCA give differing stories explaining that delay. Some say they didn't know anything about this front-page story. Others say they knew about the issue generally, but didn't understand the extent of 3M's chemical production and disposal in Minnesota.

The next year, in 2001, 3M again made news when it released a study showing PFOS had been found in the blood of bald eagles in the Great Lakes region, in river otters in the Northwest, in birds and turtles in the Southeast, in polar bears in Alaska -- even in albatrosses in the Pacific Ocean.

Michigan State University toxicologist John Giesy did the research, and 3M funded it. He said at the time, his discovery increased the mystery of how these compounds were spreading.

"We need more information on some of the toxicology to try to interpret what these levels mean," says Giesy.

In the MPCA's "correspondence" file for the 3M Cottage Grove plant, for the year 2001, there is just one piece of paper -- a news report headlined, "Scotchgard sticks in the environment." There were no memos, no studies, no records of communication with 3M.

But one scientist at the agency was growing concerned about perfluorinated chemicals -- Fardin Oliaei.

#### **AT THE TOP OF THE LIST OF CONCERNS**

Dr. Oliaei is an emerging contaminant coordinator. Her job at the MPCA is to identify new environmental threats -- chemicals that by definition, no one is regulating; chemicals too new to have much of a track record.

Oliaei, a native of Iran, is a top research scientist at the MPCA. She was recruited to join the agency in 1989 because of her work on acid rain and dioxins in Lake Superior.

Oliaei says perfluorinated chemicals hit her her radar in 2000.

"In 2001, PFOS and PFOA were climbing the ladder to become a priority list. In my view I would put those on the top of the emerging contaminants of concern," says Oliaei.

Oliaei got the go-ahead from the MPCA to do one study in 2002 on 14 fish in Voyageurs National Park, in northern Minnesota. She wanted independent confirmation of what 3M was finding.

She says half the fish samples were contaminated with perfluorinated chemicals.

"And we couldn't get to any conclusion, except expanding our data and gathering monitoring data from the environment," Oliaei says.

This would be the first independent study to show the chemicals were spreading in the environment in Minnesota. But Oliaei would not get to follow up.

Oliaei wanted to trace the contaminants from their source -- most likely 3M -- through wastewater treatment plants, sewage sludge, sediment, and finally to fish and humans. Her requests would be repeatedly denied by MPCA middle managers.

In March 2002, 3M called a meeting with the MPCA. 3M reported that drinking water at its Cottage Grove plant, which produced thousands of pounds of PFOA a year, was contaminated with the chemicals.

Dave Douglas is the person at the MPCA who knew the most about 3M's Cottage Grove chemical plant. The MPCA had begun work at the plant in 1985 to clean up a small amount of hazardous waste as a part of Minnesota's Superfund cleanup program. Douglas had managed the project since 1987.

Douglas was at the 2002 briefing with 3M.

"It was basically at that briefing that this whole issue of perfluorochemicals came to my mind, to my attention," says Douglas.

3M also passed on to the MPCA its studies showing the effects of PFOS on pregnant rats and their offspring. An internal memo from the EPA described the death of the rat pups as "unusual."

Douglas, who's described by Fardin Oliaei as a "morally alert" scientist, was concerned.

"From the get-go, here at the first meeting, 3M came in and they started talking about the second generation rat studies, which is troubling, and we all recognized that," says Douglas. "And we're going to ask questions of them about what they know about that, because that gets to the question of whether we have a significant long-term human problem."

After the 3M briefing, Douglas began to investigate what was at the Cottage Grove plant and how to clean it up. But the scope would keep growing.

It emerged that at least three public landfills in Lake Elmo, Oakdale and Woodbury also contain waste from 3M's perfluorochemical operations. All are surrounded by houses.

## Part 2: The neighbors

by Mike Edgerly, Minnesota Public Radio  
by Sasha Aslanian, Minnesota Public Radio  
February 22, 2005

St. Paul, Minn. — Before there was an MPCA or even a Superfund cleanup program, people who lived near 3M's Cottage Grove plant and its nearby Woodbury landfill had questions.

Susan Berndt's family has lived in the area since before the Civil War. In the 1960s, neighbors and businesses dumped their trash in the woods not far from her family's home. 3M had bought the landfill in 1961. She and the neighborhood kids would play amid household junk and derelict cars there.

"There were no fences. Or if there were, I was just a farm kid and we didn't pay much attention to fences. You know, the land was pretty much free. We would just go wherever we wanted and people didn't mind," Berndt says. "It was a different, more innocent time. We didn't think of things that could have hurt us. We never thought of chemicals at all."

### THE YEAR THE DUMP BURNED

Susan Berndt's most vivid memory is of the year the dump burned. In the '60s, cleanup meant burning what was there. In 1968, 3M burned the dump. The fire sent soot up into the air for weeks. 3M says the mass burning took place with the consent of nearby communities and the state. Berndt remembers skiing the woods near the fire, and how the snow had changed color.

"That winter when the dump was burning, there was a black layer. Then there'd be swirls of ash in a black layer in the snow, and there'd be clear white snow. It was so different from what it had been in the past," Berndt says. "We also would eat the icicles off the house, and that year there was a lot of black particles in the icicles, and I remember that the icicles tasted very different."

When the burning was over, Berndt recalls, 3M showed up at the family's house, bearing gifts.

"Two guys from 3M came up in a car and they were going to give us a gift. They wanted to apologize for the burning for the last year, or however long it was," Berndt recalls. "My brother was there, and they opened the car window just far enough to give him the box. And he pulled the box out and he ran in the house. He thought he had a great treasure. And that was their apology they gave us. For having to put up with the smoke and the smells for that period of time, they gave us a box of tape!"

Susan Berndt says this wasn't her family's last contact with 3M. She and her sister, Cindy Ratzlaff, recall men in 3M uniforms coming by without warning, to take water from their outdoor tap.

"The specific time that I remember was when I was babysitting at the neighbors. It was 1974, because their mother was in the hospital," Ratzlaff says. "And the guy came and he went to the faucet, and I said, 'What are you doing?' And he said, 'I'm just taking a water sample.' He filled up a bag of water, rolled it up at the top and left with it."

The two remember that the man had a 3M logo on the jacket he was wearing. They say he came twice that summer.

When asked if they were ever scared by these events -- the fire and the water testing -- Susan Berndt said she wasn't at the time.



"But over the years there has been a lot of questioning about whether they really cleaned it up, and whether they were really truthful with us about what it was," Berndt says.

### **SEEKING MORE ANSWERS**

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3M says in the mid-1960s, it tested some private wells for contamination -- but not contamination for perfluorinated chemicals. The technology for those kinds of tests didn't exist then. 3M says only one shallow well showed drinking water contamination. To solve the problem, the company replaced it with a deeper well.

Today, the Woodbury landfill is a grassy field surrounded by a tall cyclone fence. It's managed by 3M in a voluntary program with the Minnesota Pollution Control Agency.

Stanley Hale lived near this landfill for 25 years. Hale is a white-haired, meticulous Englishman. Like a lot of people around here, he's a former 3M employee. He leads a driving tour through his old neighborhood where he lived and raised his family.

"So you know the location of the dump site? This one here? I lived down here on the left, so you can see why I had an active interest in finding out more about what was in that site," Hale says.

The 3M smokestacks on the edge of the Mississippi River come into view. This is the 3M Cottage Grove plant, the one the locals know as Chemolite.

"Now this is the facility where a number of years ago I tried to get details on the total emission -- not this stack, not that one, but the grand total of all emissions," says Hale.

In the 1990s, Hale organized other residents who shared his concerns about potential ground and air contamination from the plant and landfill.

Winston Riedesel is one of Hale's old compatriots. Riedesel is a retired civil engineer. He's tall and thin, with large glasses. We settle into his tidy living room with a picture window and a bird clock.

"I'd ask people down there in that area, 'Do you know the Chemolite plant -- do you know what they do?' And nobody knew. They'd been there for all their lives and nobody knew, and that just amazed me," says Riedesel.

Depending on the direction the wind blows, Riedesel and his family can smell the plant. Riedesel complains that 3M hasn't been open enough about what it's producing and burning in its incinerator. 3M gave Riedesel a tour of the plant. But he still wasn't satisfied with answers from the company, or from the MPCA and other public officials.

"Everybody was in bed with 3M, and they were all just sleeping together," he says. "Nobody was looking out for the health and welfare of the citizens."

Riedesel says he's been frustrated about this for years. He even testified at a Cottage Grove City Council meeting back in 1998.

In 1996, the Old Cottage Grove Concerned Citizens Group petitioned the Cottage Grove City council to ban housing developments near the landfill, until the MPCA could prove the underground pollution was contained.

At a meeting on Sept. 2, 1998, the MPCA and 3M had been invited to answer residents' questions about the cleanup of the adjacent Woodbury landfill.

The MPCA showed maps of the contaminated groundwater. At that point in time, the agency did not know to test for perfluorinated chemicals.

3M was piping this groundwater to the plant, and then to the Mississippi River.

Sheryl Corrigan, a senior environmental engineer with 3M, explained the water was used as a coolant at the Cottage Grove chemical plant, and also at a power plant.

"There is a monitoring plant before it's discharged to the Mississippi, and it's consistently clean," Corrigan said in a videotape of the 1998 meeting.

3M says according to the standards of the day, the water was clean. MPCA records estimate 45 tons of perfluorochemical wastes are buried at the Woodbury landfill. The groundwater below the landfill is not treated before it reaches the Mississippi River.

Based on new data it received from 3M, the MPCA calculates that the Cottage Grove plant released about 50,000 pounds of perfluorinated chemicals into the river each year. That amount is five times higher than an original MPCA estimate made in Feb. 2005 at the request of Minnesota Public Radio.

Today, 3M has installed filters at the plant to catch most of the perfluorinated chemicals.

3M's Sheryl Corrigan was also, for a time, Dave Douglas' counterpart on the Cottage Grove Superfund site. As a 3M representative, it was her job to give him data about the contamination there. In 2002, Corrigan left 3M to become commissioner of the Minnesota Pollution Control Agency.

### **Part 3: The politics**

by Mike Edgerly, Minnesota Public Radio

by Sasha Aslanian, Minnesota Public Radio

February 22, 2005

St. Paul, Minn. — Republican Gov.-elect Tim Pawlenty named Sheryl Corrigan to be commissioner of the Minnesota Pollution Control Agency in 2002. The governor said he was looking for an environmental watchdog with a business perspective.

Corrigan says a 3M manager recommended her for the job.

"My understanding is a former boss of mine forwarded my name as someone who had the kind of experience the Pawlenty administration was looking for, in terms of an environmental management background," says Corrigan.

Corrigan still owns stock in her former employer, 3M. By law, she reported her 3M stock holdings to the Ethical Practices Board. She told Minnesota Public Radio it amounts to about \$20,000.

Corrigan says she has had no contact with MPCA staff who handle 3M matters from the time she took office. She put her recusal from 3M matters into writing a year and a half later. The letter was addressed to her top managers and the governor. It was not distributed to MPCA

staff.

### **FROM 3M TO THE MPCA**

At MPCA headquarters in St. Paul, Corrigan is relaxed and confident, eager to talk about her initiative to clean up polluted waterways across the state. When asked about her 1998 statement to Cottage Grove residents that the landfill water flowing into the Mississippi was clean, Corrigan says her words still stand.

"The statements I made in 1998 I would have made today. I understand that the science has changed again and has evolved, and so we know more," says Corrigan. "But that's the nature of our business. As time goes by we learn more, and so we're able to respond in a different way."

In 1998, when Corrigan was still at 3M, the company was involved in extensive testing about its perfluorinated chemicals. Sheryl Corrigan says she knew the testing was underway.

"The information I had was information that the public had. 3M has been very open about what was on the books and what folks had access to. I had no more information than the public at any given time about what was the occurrence of any particular chemical at any particular place," says Corrigan.

Corrigan was asked whether the residents of Cottage Grove should have known there were perfluorinated chemicals in the blood supply, even as they were asking questions of 3M and the MPCA.

"The information that was available was publicly available," Corrigan responded. "I think it would be a misstatement to say that folks at 3M were in any way, shape or form keeping information from people. That wasn't the corporate policy and that wasn't the corporate practice."

Corrigan's appearance before the Cottage Grove City Council was in 1998. It would be two years later, in 2000, when perfluorinated chemicals would become front page news.

Michael Santoro, 3M's director of health safety, was asked about Corrigan's answers -- whether 3M knew in 1998 about the potential threat posed by PFCs at the plant, or near the landfill, and whether Corrigan should have said something to Cottage Grove residents at that city council meeting.

"Well, that's a good question," Santoro responded. "I think at that time the focus of the discussion -- and I obviously can't speak for her -- was more about what I call conventional types of pollutants. The understanding we had of site operations with any onsite landfill led us to say there were no offsite concerns associated with the waste materials that were talked about at that time."

"We knew, I think, that we had disposed of some materials there," said Santoro. "I don't think there's a good an understanding as we have today from the standpoint of the nature of persistence, and the fact that they may have an impact."

Like any major manufacturer in Minnesota, 3M has many routine dealings with the MPCA.

At the 2002 news conference announcing her appointment, Corrigan said she "knew of no current issues involving 3M and the MPCA that would complicate her new role."

3M's Michael Santoro backs up Corrigan's statement.

"Yes, I think so. Keep in mind that our relationship with the Minnesota Pollution Control Agency, I think, over the years, has been very positive. If there are issues, we deal with them upfront and solve any problems that we might have. So I'd say that's an accurate statement," said Santoro.

Corrigan's appointment met no opposition in the state Senate. At her confirmation hearing, no senator asked whether her previous employment at one of Minnesota's largest manufacturers might pose a potential conflict of interest.

Corrigan was confirmed in April 2004, after serving in the job for more than a year. The DFL chair of the Senate Environment and Natural Resources committee, John Marty, says she was judged more on her short track record at the MPCA than her private sector work.

"My initial reaction would have been, 'She's a decent person.' I still believe that. But I'd prefer to have the appointees who are head of the Pollution Control Agency as people who are going to be strong advocates for protecting the environment," Marty says.

"Somebody coming from industry -- that's not saying they can't be that -- but the initial reaction was, I'm not as likely to expect her to be as aggressive as some environmentalist might be," Marty says. "But again, it's the governor's appointment, and I guess I didn't think we were going to get anything better than we got with her."

#### **MPCA SCIENTIST CLASHES WITH HER BOSS**

Fardin Oliaei, the MPCA scientist who wanted to study perfluorinated chemicals, only got one chance to do so after Commissioner Sheryl Corrigan took office in 2003.

On a cold November day in 2004, Oliaei and her colleague Joe Julik are taking core samples from a closed public landfill in Washington County, in Lake Elmo. It is one of several locations in the area where 3M disposed waste from its perfluorochemical operations in the late 1960s and early '70s.

Oliaei and Julik, a hydrogeologist, are pounding soil samples from collection tubes. The landfill looks like any grass-covered field. There are homes nearby, and tracks made by deer and other wildlife. But a sharp chemical smell gives away the field's history. Oliaei has selected this landfill because she knows the soil is likely still contaminated with perfluorinated chemicals.

"This is a soil sample that we are getting to get some idea about the concentration of PFOS/PFOA in this soil sample, going down to groundwater level," she explains.

Oliaei's samples are taken in intervals down to 25 feet.

"It tells us about the traveling of these contaminants through the soil, down to the aquifer," says Oliaei.

A few months earlier, the Minnesota Department of Health found wells at seven nearby homes contaminated with PFOA, but the water was not unsafe to drink.

Joe Julik says old landfills can leak.

"Unfortunately, where they sited a lot of these was in old gravel pits, because there was a hole there. Well, gravel pits have sandy bottoms and so they leak," Julik says. "This is an example of one that had a sandy bottom. So the leachates that formed from the water moving through the waste leach down into the groundwater and cause the problem."

Julik points in the direction the groundwater flows -- toward nearby homes, and ultimately to the Mississippi River.

Oliaei would like to follow this underground trail. As the coordinator of the MPCA's program on emerging contaminants, Oliaei had proposed a series of tests to measure how perfluorinated chemicals are moving from 3M sites out into the environment.

In 2003, she requested \$140,000 for PFOA and PFOS research, combined with unrelated studies into flame-retardants and pharmaceuticals. When her MPCA boss rejected that proposal, she lowered her request to \$14,000. That, too, was rejected.

In 2004, she submitted five more research proposals to her supervisors. All five were rejected.

Oliaei says she took her case directly to Commissioner Sheryl Corrigan.

"I went to her with a copy of my proposals for fiscal 2004, and I told her, 'I know your priorities, according to what you say, are water issues,'" Oliaei recalls. "These are emerging contaminants, regardless of where they are coming from. Ultimately they are going to go in the water and accumulate about the aquatic life, and go back again to humans and so forth. And there is a lot of information about toxicity, and for us as a Pollution Control Agency, we should do the monitoring of this stuff."

"And she told me that she would look at those and let me know later, which she never got back to me," says Oliaei. "But in her conversation with me she said, 'Fardin, what do you want me to do?' And I said, 'I want you to support this project.' And she told me, 'Let me tell you -- if you like to do scientific work, this agency is not a scientific institution. I strongly suggest you go somewhere else to do science work.' And that was my first, maybe, and last conversation with her."

"Dr. Oliaei has done some great work on occurrence. But that's as far as we want to go," responds Corrigan. "Now we need to start looking to the involved agencies around how to fix it. I'm not sure that research scientists belong at the Minnesota Pollution Control Agency."

Oliaei's relationship with the agency has been strained in recent years. She's brought two discrimination complaints against the agency. The first one, in 1999, resulted in a promotion she had been seeking. The second one, filed in 2004, is still pending.

No one is disputing Oliaei's skill as a scientist. A principal engineer with the MPCA confirmed to us that Oliaei is respected by her peers and is considered a very good scientist. An expert in toxic reductions at the federal Environmental Protection Agency office in Chicago described her as a "cutting edge scientist" who pushes hard for her work.

But Oliaei couldn't persuade Corrigan that her research should be funded.

Corrigan disputes that she and Oliaei ever discussed perfluorochemicals specifically. She acknowledges they may be a problem, but she says doing the research is not the MPCA's job - it's the Environmental Protection Agency.

"There are a plethora of challenges for us here at the agency on what's the most important thing to look at. And while fluorochemicals certainly are at the front burner for EPA, that's because EPA's been charged with determining the risk around these. So they're madly working to determine how these chemicals work in the environment," says Corrigan.

"We have some problems that are right in front of us. Right in front of us," Corrigan says. "There are fine particles in our air today that we need to deal with. There's phosphorus in our

waters today that we need to deal with. And there might very well be fluorochemicals in our waters that we need to deal with. But until we have the right science to move forward on, it doesn't make sense."

The EPA has opened a major investigation of perfluorinated chemicals. But not in Minnesota.

"We're not specifically looking into the facilities in Minnesota," says Lawrence Libelo, a senior environmental engineer with the EPA. "That's being done by the state folks. We're relying on them to do the work in their area."

The EPA isn't looking for the chemicals in Minnesota, because they're not made here anymore. The EPA investigation is focused on Alabama and West Virginia, two places where PFOA continues to be used.

Mary Dominiak coordinates the EPA's investigation of fluorochemicals. She says the most important question the EPA still can't answer is -- what threat do the chemicals pose to human health?

"The jury is still out on that one," says Dominiak. "We're looking at trying to assemble the information that will let us know whether we're dealing with a risk now, or one that might develop over time, if these chemicals would continue to be manufactured and used in the quantities that they were in the past."

## **Part 4: The company**

by Mike Edgerly, Minnesota Public Radio  
by Sasha Aslanian, Minnesota Public Radio  
*February 22, 2005*

St. Paul, Minn. — Much of what the EPA knows about these chemicals comes from the manufacturers. 3M's studies tend to focus on male plant workers rather than pregnant women, the children of workers or the people who live near the plants.

In 1981, DuPont found evidence of birth defects in babies born to female workers in West Virginia. DuPont now faces more than \$300 million in fines for allegedly not turning over that information to the EPA.

A study 3M published on American children in 2004 showed that children and adults in the general population have similar levels of perfluorinated chemicals in their blood. 3M concluded that the chemicals are passed from mother to child in utero.

According to Rich Purdy, the former 3M eco-toxicologist, children have another possible route of exposure.

"These chemicals are put onto sleepwear and put onto carpets," says Purdy. "Well, babies are put onto carpets and into sleepwear, and what do they do? They suck on their sleepwear and put their saliva-covered hands onto the carpet. And these chemicals are on the carpet, so they can be extracting it. They can get huge amounts there."

### **3M BEGINS RESEARCH**

Purdy says the 1997 discovery that low levels of the chemicals were widespread in the human population prompted 3M to begin amassing a huge base of information.

"At this point we can't say a whole lot," says health assessor Jim Kelly, the author of that report.

Kelly made a series of recommendations in order to fill these gaps, modeled on the investigation at 3M's Alabama plant.

"There's been a great deal of effort to investigate 3M's Decatur, Alabama, plant. And what appeared to me, at least, a not quite as comparable effort to investigate 3M's plant in Cottage Grove. Therefore we recommended that the scope of the investigation that's being proposed for their Decatur Plant be applied to this facility as well," says Kelly.

### **OLIAEI'S RESEARCH GOES FORWARD, WITHOUT HER**

Now, almost five years after 3M announced it would quit making PFOA and PFOS, the MPCA, the Minnesota Health Department and 3M are embarking on an open-ended, comprehensive plan to test soil, groundwater, and wastewater treatment facilities at the Cottage Grove plant. Fish and surface water from the Mississippi River will also be tested. 3M is investigating more landfills where it may have disposed of fluorochemical wastes.

Some of the work is already underway, like the test that turned up the contamination in the Oakdale water supply. At this point, there is no plan to test the blood of residents. 3M told MPR the company would be open to biomonitoring, if environmental data indicated a significantly greater risk of exposure around the plant.

Dr. Oliaei, the MPCA's expert on new chemicals, is not involved with this research. It will be carried out and paid for by 3M.

The kind of research spelled out in the new work plan is what Oliaei proposed doing two years ago -- and was never given permission to do so by her bosses at the MPCA. The MPCA's deputy commissioner told MPR Oliaei's research was not turned down for financial reasons.

And as for why the agency didn't start studying 3M's fluorochemicals until two years after the phaseout began, Michael Kanner, the head of the MPCA's Superfund division, expresses some regret.

"There was no evil intent. ... We have good people here, and it's easy to say, 'Four years ago, you should have.' To hindsight, 20-20 is always great," Kanner says. "In retrospect, we wish we had probably started earlier. We wish we had more information from EPA, from 3M, from the Health Department on what all the numbers should be in terms of health values and so on. But we didn't."

When the agency did get going on its investigation in 2002, MPCA records show it was Dave Douglas, the Cottage Grove Superfund manager, who made it happen.

Douglas got the Health Department to develop safe drinking water standards. He followed a tip from the EPA that led to the discovery of 3M fluorochemical waste at area landfills. And he urged a co-worker in the water quality division to calculate how many pounds of PFOA and PFOS were going into the river.

In November 2004, just as the MPCA was about to sign off on the environmental monitoring plan with 3M, Douglas was pulled from the case. When MPR asked why the the MPCA official with the most experience on the 3M case was reassigned, Douglas' manager said it was routine.

The fluorochemical issue has been a costly one for 3M. It's spent millions studying the effects of these chemicals. Michael Santoro says it's also changed the way 3M works.

"We have established new policies in the company to look at persistent materials, so that is something new. And we are able to catch these things, if you will, as new chemicals and new products are developed," Santoro says.

When you go to the store, you can still buy a can of Scotchgard. 3M still makes the product, but with a different chemical formulation. 3M's Larry Zobel says the new Scotchgard is safer.

"First of all, it doesn't stay in the body. It's excreted, eliminated, from lab animals. And some limited information from people tells us that it leaves the body very quickly. So in terms of safety with regard to health, it's extraordinarily safe," says Zobel.

When Santoro was asked whether the new Scotchgard is as good as the old, he laughed, "Of course it is!"

## **Part 5: The future**

by Mike Edgerly, Minnesota Public Radio

by Sasha Aslanian, Minnesota Public Radio

*February 22, 2005*

St. Paul, Minn. — DuPont continues to produce PFOA at its plant in West Virginia. In Decatur, Alabama, Dyneon, a subsidiary of 3M, reported to the EPA it continues to use small amounts of PFOA in certain products.

The Centers for Disease Control and Prevention has now added PFOS and PFOA to its chemical surveillance list. The 2007 report will provide more comprehensive data about how much of these substances are in Americans' bodies.

The Old Cottage Grove Concerned Citizens Group has disbanded. Its leader, Stanley Hale, says he burned his filing cabinet of documents and news clippings seven years ago, and moved to western Wisconsin. His son continues to work for 3M.

The EPA says it doesn't know yet if PFOA and PFOS can cause cancer in humans, but current studies don't rule out the possibility, either. The EPA is investigating how the chemicals affect the body, including potential problems with reproduction, the immune system and the liver.

The general lack of information about the chemicals leads people in Washington County to speculate. Susan Berndt, who grew up near the Woodbury landfill, runs down a long list of health problems facing people on her street.

"We sat down and starting counting them up, and it was unbelievable. Steve died of cancer. He was younger than I am. Happy has cancer right now. Then we go on to Jim and Nancy, and then another Nancy, and Tony," Berndt says. "The lady that lives next door here died of breast cancer, and the lady that lives two doors over died of cancer. And then to the west there's a farm, and I know both of the parents of those children died of cancer. Seems like so many people who have had cancer -- and is it just coincidence? It just makes you wonder."

Dr. Fardin Oliaei attempted to resubmit her research proposals at the MPCA last month, but she says she couldn't get support from her managers.

The results of her Washington County landfill samples came back from the lab and showed very high levels of PFOS, PFOA and other related chemicals.



"When they found it, then they started doing a lot more testing -- of everything. We initiated studies with fish. We initiated studies with invertebrates. We initiated studies on rats for cancer -- maybe they were started even earlier than that," says Purdy. "They started other studies for human toxicology. They initiated studies on quail and mallards and birds. They initiated studies for how long it lasts in the atmosphere and biodegradation. So there was a lot of testing started."

Purdy says he found it unsettling when the chemicals were found in baby eagles -- birds that had never left the nest. This finding signaled to Purdy that the chemicals had entered the food chain. Other tests showed the chemicals were present in fish from the Atlantic Ocean.

"I calculated how much seals and killer whales higher up the food chain would be exposed to, and it was huge amounts. And they were amounts that were, in my estimation, higher than the concentrations we knew would affect animals," says Purdy. "I was concerned about that, and wanted 3M to report the concern to EPA under the Toxic Substances Control Act, because if you find data that it's hazardous, you need to report it to the Environmental Protection Agency."

Purdy says his managers weren't ready to report it. 3M medical director Dr. Larry Zobel says the company had to be satisfied the research was right before taking it to the EPA.

"We certainly were going to report everything that we had. We'd gather stuff up and send it in, on somewhat of a periodic basis, to the agency. We'd get some results in and they'd be initial lab results," says Zobel. "I wasn't working with Rich at that time, so I can't speak to the particular circumstance -- but I know we had a lot of discussions in our department (that) we need final data. Before we send something in it's going to be final data, it's going to be validated, and we're not going to send it in until we're sure of what we've got."

During this time, Rich Purdy says he was pressured not to put his concerns about the findings into writing. He says the company feared lawsuits.

"There wasn't a memo, because they didn't want you to write it down. And they didn't want to write it down because they knew there may be legal discovery coming," Purdy says. "My concerns with one sample -- I did put it in an e-mail and they were quite concerned about that. I said, 'Well, there's a reason I put it in an e-mail that way. This might well be open to discovery.' And the management had us stamping anything we wrote down as 'attorney-client privilege.' It wasn't proper, but they wanted everything stamped with that stamp."

"I actually had forgotten about that," says 3M's Zobel. "I can remember having a stamp that said 'attorney-client privilege' as well, for a brief period of time. Quite honestly, we were trying to make decisions about the management of information, and I think it was probably during that time. It obviously didn't have much of an impact. We always knew everything would be transparent."

The stamping practice was short-lived. Nevertheless, Rich Purdy decided to leave 3M in February 2000. He'd been with the company for 19 years, and thought it was time to move on. Three months later, in May 2000, 3M announced its phaseout of the original Scotchgard and most other products the company made with PFOA and PFOS.

Rich Purdy now runs a farm in western Wisconsin, where he breeds draft horses. Because of what he learned at 3M, Purdy says he doesn't have carpets in his house. His farm is all organic.

"Don't fool with chemicals if you don't have to," says Purdy.

But he says there's not much you can do to avoid perfluorochemicals in the environment.

Purdy isn't bitter toward his former employer. In fact, he speaks with pride about the company's investment in science -- and ultimately, the job it did on these chemicals.

He compares 3M favorably to other companies in the perfluorinated chemicals business -- DuPont, for example, which continues to make and use the chemicals.

"3M is like somebody who ran the stop sign, got through the stop sign, 'Oh my God,' and stopped," says Purdy. "Well, DuPont didn't stop, didn't care, hit-and-run, just keeps rolling down the road."

DuPont claims "no known adverse human health effects have been reported in connection with levels of PFOA measured in workers or the general population."

### **LEGAL ACTION IS PENDING**

Even though 3M is no longer in the business of making PFOA and PFOS, it faces lawsuits for its past practices.

In 2002 a 3M worker in the Decatur, Alabama, plant where Scotchgard was produced sued the company, alleging the company didn't disclose the health risks of working with the chemicals. That suit has now expanded to include other former and current workers and their children. The case is pending.

Two years later, in September 2004, neighbors of the Decatur plant sued. They claimed chemicals had contaminated their soil and groundwater, and lowered their property values. In October 2004, 3M faced a new lawsuit, this time in Minnesota.

Gale Pearson is the attorney bringing the class action suit.

"The complaint is alleging that 3M has manufactured a chemical that is dangerous to the community in their plant," says Pearson. "And they have not taken steps to protect this chemical from leaking into the groundwater to the community outside of their plant."

The Cottage Grove suit claims increased risk of cancer and asthma to people exposed to these chemicals. It is seeking environmental cleanup, health monitoring and monetary damages.

The company says the lawsuit is without merit. 3M spokesman Rick Renner says the allegations in the complaint misrepresent extensive scientific research, and many other facts.

When asked about risks to residents near the Cottage Grove plant, 3M's medical director Larry Zobel says if those with the highest exposure -- workers -- aren't sick, the rest of the community probably isn't either.

"Workers who worked directly with precursor materials have much higher exposure, and have blood levels that are 60 to 100 to 1,000 times more than what is seen in the general population," Zobel says. "We have not been able to attribute any health effects in those employees to the presence of these chemicals at those concentrations. So the combination of what we've seen in employee medical surveillance and monitoring, and the laboratory studies, give us pretty good assurance that at the low levels in the general population, there are no effects to be concerned about."

Before the Minnesota lawsuit was filed, the state Health Department tried to assess the health risk from perfluorochemicals at the 3M Cottage Grove plant. The report concluded there was insufficient data to say if the plant was a risk or not.

The public relations staff at the MPCA wanted to write about Oliaei's perfluorinated chemicals research. But internal e-mails obtained by Minnesota Public Radio show the staff killed the article, because they were "convinced that the editorial board or other leaders would cut the story at this time." The publications coordinator told MPR her bosses suggested she select another contaminant to focus on -- one not so controversial within the agency.

Oliaei says she is demoralized, but not defeated. She says someone once joked that she's more persistent than the chemicals she works with. The description pleased her.

The bottom line, Oliaei says, is that taxpayers have funded her work at the MPCA for 16 years, and deserve the benefit of all she has learned about these chemicals.

"They are in the environment. They are most probably in the blood and serum of any of them, or their children or their parents," says Oliaei. "They have a right to know about how toxic they are, what is the level of science available, in a meaningful manner -- not to panic, but awareness."

3M broke no laws producing PFOS and PFOA for more than half a century. 3M's phaseout was voluntary, and to this day, no other company has followed its lead. The chemicals remain unregulated, and circulate through the air, water and soil.

An EPA scientist we spoke with said there are thousands of chemicals like PFOA and PFOS that should be regulated, but probably won't be. It takes years to prove how chemicals behave in the environment and in our bodies. It's even more difficult to prove that exposure to such chemicals causes human harm.

Scientists like Rich Purdy and Fardin Oliaei say it's time to stop looking at chemicals in isolation. PFOA and PFOS have chemical cousins with very similar properties, but no one is studying how widely these other chemicals may have spread through the environment, and what harm they may pose.

The lawsuit brought by Cottage Grove residents suing 3M had its first court date Feb. 22, in Stillwater. Attorneys for 3M asked a judge to dismiss parts of the lawsuit that required the company to pay for residents' health monitoring. The company is also asking the judge to drop trespass and other charges against 3M, for allowing its chemicals to infiltrate Washington County neighborhoods. The judge will issue a ruling at a later date.

An EPA scientific advisory board is currently evaluating the health risks posed by PFOA. The advisers recommended after a Feb. 2005 meeting that the EPA consider elevating its cancer-causing classification of the chemical, according to a report from the publication, Environmental Policy Alert.

## **The long reach of perfluorochemicals**

by Mike Edgerly, Minnesota Public Radio

by Sasha Aslanian, Minnesota Public Radio

*February 22, 2005*

St. Paul, Minn. — The mysteries are many when it comes to perfluorochemicals.

Not the least of which is this -- how is it that chemicals no longer made in the U.S. are turning up in the bloodstreams of creatures found nowhere near chemical plants?

Matt Simcik, an assistant professor of environmental science at the University of Minnesota, is researching how they travel through the atmosphere. In 2001, a Michigan State University study conducted by John Giesy found PFOS in the blood of 400 different mammals, fish and birds on all seven continents.

At the time, Simcik said if animals in remote northern Minnesota lakes tested positive for the chemicals, it would be the "nail in the coffin" that the chemicals are moving through the air.

Simcik collected and tested a group of northern pike in Voyageurs National Park -- the same fish samples tested by Fardin Oliaei of the Minnesota Pollution Control Agency -- and found they showed traces of fluorochemicals. The lakes were wholly cut off from other water sources, and were miles from the closest road.

Simcik had found his "nail in the coffin" on atmospheric transport.

Atmospheric transport isn't the sole source for fluorochemicals in the environment, however. According to Simcik, the chemicals also "leach out of fabric during washing and directly enter the wastewater."

Simcik and other scientists believe PFOA and PFOS were also released into the environment from manufacturing plants where the chemicals were made or used.

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**Senator  
John Marty**

**Senate**  
State of Minnesota

November 22, 2005

Commissioner Sheryl Corrigan  
520 Lafayette Rd.  
St. Paul, MN 55155

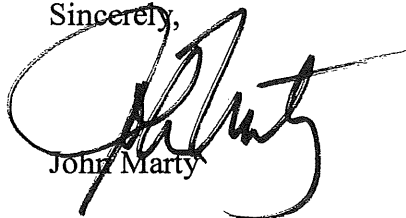
Dear Commissioner Corrigan,

The Senate Environment and Natural Resources Committee is holding a hearing Thursday, December 1<sup>st</sup>, at 9:30 a.m. in G-15 of the State Capitol. The topic is a continuation of testimony from the October 25<sup>th</sup> hearing regarding the MPCA's involvement in the research and management of PFCs in Minnesota's environment.

At the October 25<sup>th</sup> hearing some committee members were upset that you decided not to attend the hearing, despite your stated recusal on PFC issues. I made it clear that while I had invited you to attend, I had not formally requested your presence. However, based on the testimony at the previous hearing I think that your attendance at the next hearing would be helpful.

Consequently I am requesting your attendance, recognizing in advance that there may be some questions you are unable or unwilling to answer. However, Deputy Commissioner Applegate has informed me that you are unlikely to attend our next hearing. If you are willing to appear before the committee, and have a conflict on Dec. 1<sup>st</sup>, please let me know as soon as possible so we can change the date of the hearing.

Sincerely,



John Marty



Minnesota  
Pollution  
Control  
Agency

# Perfluorochemicals – Past, Present and Future Actions

December 2005 (revised)

This Minnesota Pollution Control Agency (MPCA) fact sheet provides a brief history, an overview of current actions, and planned activities related to perfluorochemicals (PFCs) in Minnesota.

## What are PFCs?

PFCs are a family of proprietary 3M chemicals that have been used for decades to make products that resist heat, oil, stains, grease, and water. In the past, PFCs including PFOS and PFOA were not regulated. Common uses include nonstick cookware, stain-resistant carpets and fabrics, components of fire-fighting foam, industrial applications, coatings for packaging such as milk cartons, cosmetic additives, and other personal products.

Two of the chemicals in the PFC group are perfluorooctane sulfate (PFOS) and perfluorooctanic acid (PFOA). The chemical structures of PFOS and PFOA make them extremely resistant to breakdown in the environment. They are also bioaccumulative in humans and animals.

## What is the PFC connection to Minnesota?

The 3M chemicals that contain PFOS, PFOA and other PFCs were produced in Minnesota at the 3M Chemolite facility in Cottage Grove. Historically, production waste from 3M was disposed of in Minnesota at the Cottage Grove site as well as 3M Oakdale (Superfund site) and the Washington County Landfill (a Closed Landfill Program (CLP) site). The MPCA has also been looking at other sites that may have accepted 3M production waste containing PFOS, PFOA, and other PFCs.

It is important to note that a number of consumer products that used Scotchguard (produced by 3M) or Teflon (produced by Dupont) may contain various PFCs. In 2002, 3M stopped using PFOS and PFOA in Scotchguard products. The company announced this phase out in 2000.

There are still other PFCs generated by 3M. The MPCA may ask the U.S. Environmental Protection Agency (EPA) or require 3M to conduct additional investigation or testing to ensure that current PFC generation does not pose a risk.

## What is the concern?

Although PFCs have been used for decades, there are not many studies of health effects in people. In animal studies, high concentrations of PFOA and PFOS have been shown to adversely affect liver and other organs. High concentrations of PFOA over a long period of time also may cause cancer in animals (still under review). Developmental effects have been seen in the offspring of rats exposed to PFOS and PFOA while pregnant.

Studies of 3M workers exposed to PFOS and PFOA during manufacturing show no apparent impact on their health. There is no similar health study information for the general population. The National Science Advisory Board is currently reviewing a draft EPA PFOA health assessment.





## Actions taken

The MPCA actions taken related to PFOS and PFOA production waste contamination have included:

- Private drinking well sampling
- Municipal drinking well sampling
- Evaluation of closed landfills that accepted waste that may have PFOS and PFOA production waste
- Evaluation of active landfills that may have accepted production waste containing PFOS or PFOA
- Sediment sampling at the Mississippi River; sampling of 3M outfalls at the Mississippi River from the 3M Cottage Grove facility; and sampling of effluent from the metro wastewater plant
- Review and oversight of 3M monitoring and work plans for sites that are in the state Superfund or Voluntary Investigation and Cleanup programs
- EPA investigation of PFOA

This list of actions is further detailed in the sections below.

### *Private Well Sampling*

The MPCA, in coordination with the Minnesota Department of Health (MDH), sampled 239 private residential wells in southwestern Lake Elmo. So far, 19 residential wells have been found in excess of the health-based values (HBVs) set for PFOA and PFOS by the MDH. Residents exceeding the HBVs have received or will receive granular-activated carbon filters. Until the filters are installed, bottled water is being provided to affected residents.

Fifty-eight residential wells have detects below the HBVs for PFOS and PFOA. These wells are on a routine monitoring schedule. The MPCA and MDH are conducting this monitoring. The PFOS and PFOA contamination plume has been well defined based on the well sampling.

The city of Lake Elmo has reached an agreement with 3M that will include the installation of a municipal water system for about 200 homes in Lake Elmo that have private wells.

MDH sampling of residential wells in Woodbury did not detect PFOA or PFOS.

### *Municipal Well Sampling*

After PFOS and PFOA were detected in some private wells, the MPCA in consultation with 3M and the MDH sampled municipal wells in Oakdale. Sampling of municipal wells for other neighboring municipalities was also completed. Based on sampling, PFOS and PFOA were not detected in

neighboring municipalities that include Cottage Grove, Woodbury and Hastings.

The city of Oakdale had detections for PFOS and PFOA, generally below the health-based values set by the MDH. To ensure that PFOS and PFOA consistently remain well below health-based values, 3M has agreed to design and construct, and operate a granular-activated carbon system on Municipal Well # 5 (had detections for PFOS and PFOA near health-based values). Once operating, the city of Oakdale will operate and maintain this system. However, 3M will continue to pay operating costs.

### *Closed Landfill Sampling and Monitoring*

The Closed Landfill Program first began sampling for PFOS and PFOA at the Washington County Landfill in the spring of 2004 following disclosures from 3M that PFC production waste was disposed of at this landfill since the early 1970s. This sampling expanded to residential wells near the landfill. This is the sampling in Lake Elmo referenced earlier in this fact sheet. Sampling from this program has led to additional sampling by agency staff. This includes Mississippi River sediment sampling, water sampling, fish sampling, and closed and active landfill leachate (liquid waste from precipitation and decay at landfills) sampling.

### *Active Landfill Evaluation for PFOS and PFOA*

Three landfills currently permitted to accept solid waste have been identified that accepted production wastes containing PFCs from the 3M Cottage Grove facility. These landfills include: Onyx in Buffalo, Minnesota; Pine Bend Landfill in Inver Grove Heights, Minnesota; and SKB in Rosemount, Minnesota.

Leachate, gas condensate (from landfill gas), and ground-water samples were collected.

Ground-water monitoring for PFOS and PFOA was conducted at Onyx, Pine Bend, and SKB. PFOS and PFOA were not detected in monitoring wells at Onyx. Therefore, no additional ground-water monitoring will be conducted at Onyx. Extremely low levels of PFCs including PFOS and PFOA were detected at SKB in both upgradient and downgradient wells with no trend indicating that SKB is the source of contamination. Since the concentration in the ground-water samples were two to three orders of magnitude lower than the HBVs, no additional ground-water monitoring for PFOS and PFOA is scheduled at SKB at this time. At Pine Bend, some sampling will be conducted for downgradient wells to determine potential impacts from PFOS and PFOA contamination.



PFOS and PFOA were detected in samples collected from leachate and gas condensate at Onyx, SKB and Pine Bend. The leachate and gas condensate is stored in storage tanks at these facilities and shipped to Metropolitan Council Environmental Services (MCES) for treatment and disposal according to MCES permits. The agency will share the leachate and condensate information with the MCES to determine if there is PFOS and PFOA contamination present.

### ***Sediment and Water-related Sampling***

Sediment cores and river water were collected upstream and downstream of the 3M discharge to the Mississippi River from the Cottage Grove facility.

PFC contaminant levels between 10 and 99 parts per billion were found in river core sediments. This may be significant, however what the aquatic and ecological effects may be are unknown.

Limited numbers of fish were collected by the Minnesota Department of Natural Resources from the Mississippi River upstream from the 3M Cottage Grove facility). This sampling has been conducted to assess exposure to fish. Elevated levels of PFOS were found in one fish liver at 53 parts per million.

### ***MPCA Oversight of 3M Superfund and VIC Sites***

The MPCA will continue its review and oversight of current and future work plans or actions related to PFC contamination from the 3M Superfund and Voluntary Investigation and Cleanup (VIC) sites including 3M Chemolite (Superfund site in Cottage Grove), 3M Woodbury (VIC site), 3M Oakdale (Superfund). A final comprehensive report for 3M Chemolite is due March 2006. The MPCA is continuing to assess other possible disposal sites.

### ***EPA Investigation of PFOS and PFOA***

In the late 1990s, EPA received information indicating that PFOS were widespread in the blood of the general population and presented concerns for persistence, bioaccumulation, and toxicity. Following discussions between EPA and 3M, the company terminated production of these chemicals. Findings about PFOS led to EPA review of similar chemicals including PFOA, beginning in 2000.

EPA is working with industry and others to obtain additional monitoring information about PFOA including its incineration or loss from products over time that may contain this chemical. A draft risk assessment about PFOA was released in January 2005 for scientific peer review. EPA will use these recommendations as it revises the assessment.

MPCA staff and managers met with EPA regarding PFC activities in late November 2005. MPCA will continue to share information regarding PFCs with EPA.

### **Future Activities and Outstanding Issues**

A number of agency staff will be identifying a subset of landfills to evaluate potential impacts associated with PFCs. Municipal solid waste, combustor ash, and demolition landfills will be the primary targets. In order to screen these facilities for PFC impacts, landfill leachate and gas condensate will be sampled at each facility if present. Since PFCs were detected in landfill gas condensate at Pine Bend Landfill, a landfill gas sample will be collected at this facility to evaluate potential impacts from PFCs.

Budgeted projects which include investigation for PFCs:

- a. \$50,000 for additional sampling in the Mississippi River and other locations
- b. \$50,000 for newer emerging chemicals like C4 or C6 (two other members of the PFC family of chemicals)
- c. \$25,000 for fish tissue sampling at various locations statewide

The MPCA will begin work on the development of discharge standards, for PFOS and PFOA, to apply to wastewater effluents to surface waters of the state.

### **For more information**

If you have additional questions or would like more information about PFCs or information related to this fact sheet, go to the MPCA or MDH Web sites. These Web sites also include links to the EPA, city of Lake Elmo and city of Oakdale:

[www.pca.state.mn.us/hot/pfc.html](http://www.pca.state.mn.us/hot/pfc.html)

[www.health.state.mn.us/divs/eh/hazardous/sites/washington/lakeelmo/index.html](http://www.health.state.mn.us/divs/eh/hazardous/sites/washington/lakeelmo/index.html)

[www.health.state.mn.us/divs/eh/hazardous/sites/washington/aqpfcs.html](http://www.health.state.mn.us/divs/eh/hazardous/sites/washington/aqpfcs.html)

[www.lakeelmo.org/](http://www.lakeelmo.org/)

[www.ci.oakdale.mn.us/](http://www.ci.oakdale.mn.us/)

[www.epa.gov/opptintr/pfoa/pfoainfo.htm](http://www.epa.gov/opptintr/pfoa/pfoainfo.htm)



# Minnesota Pollution Control Agency Response to PFCs in Minnesota's Environment

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Senate Environment & Natural Resource Committee  
December 1, 2005

Kristen Applegate, Deputy Commissioner  
Tim Scherkenbach, Director, Remediation Division



# Federal/State Efforts

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- Federal

- USEPA

- CDC

- DHHS

- State

- Minnesota Department of Health

- Minnesota Pollution Control Agency



# Issue Identification

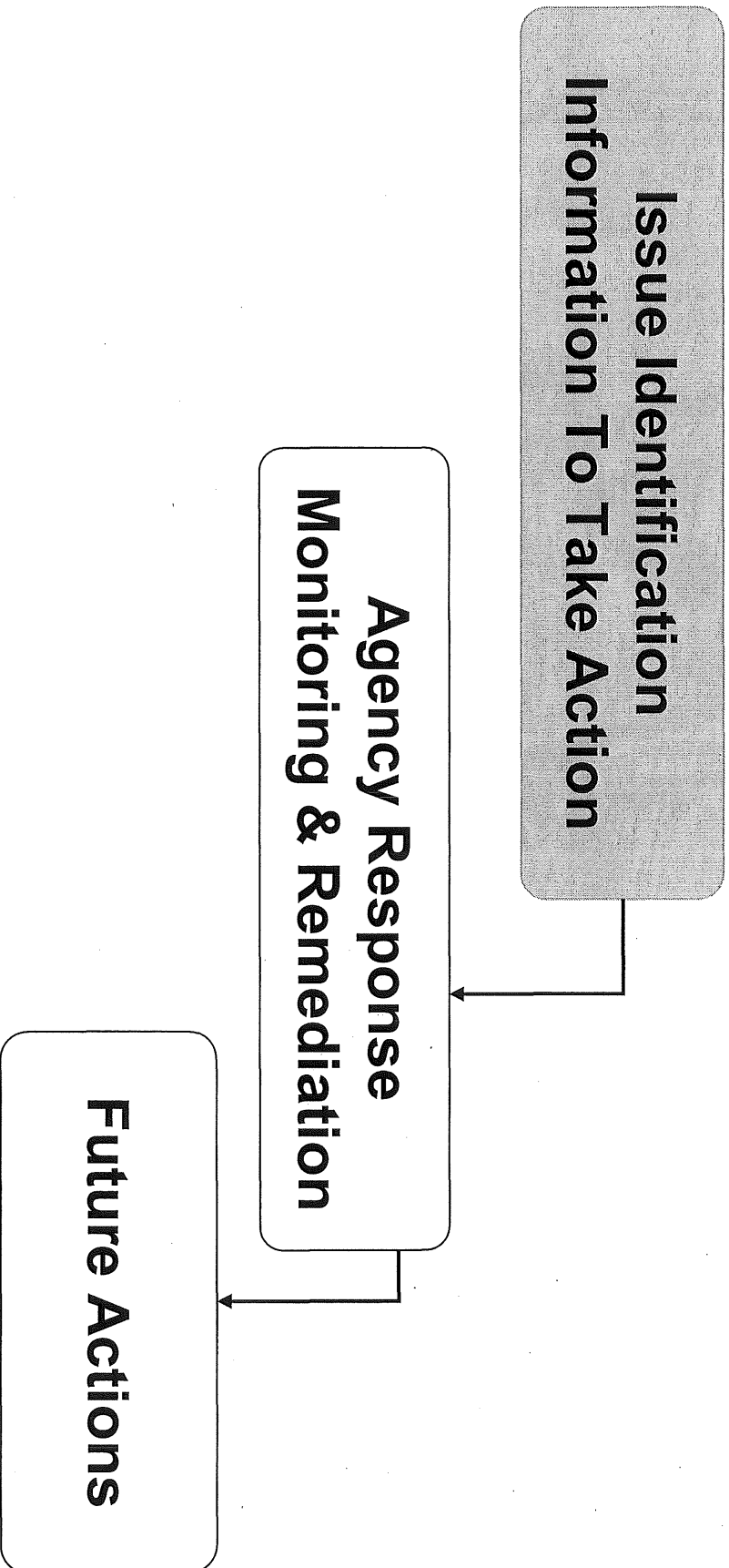
## Information To Take Action

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- EPA/CDC/DHHS – Develop Information States Use To Take Action
  - Classified PFCs as Chemical of Concern
  - Currently conducting research to understand toxicity and pathways
  
- MPCA/MDH – Developing Minnesota Specific Information
  - Limited special study
  - Site contamination identified
  - MDH develops Health Based Values and Soil Reference Values
  - Classified as MERLA “Hazardous Substance” – allows cost recovery

# Response to PFC's

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# Agency Response

## Monitoring & Remediation

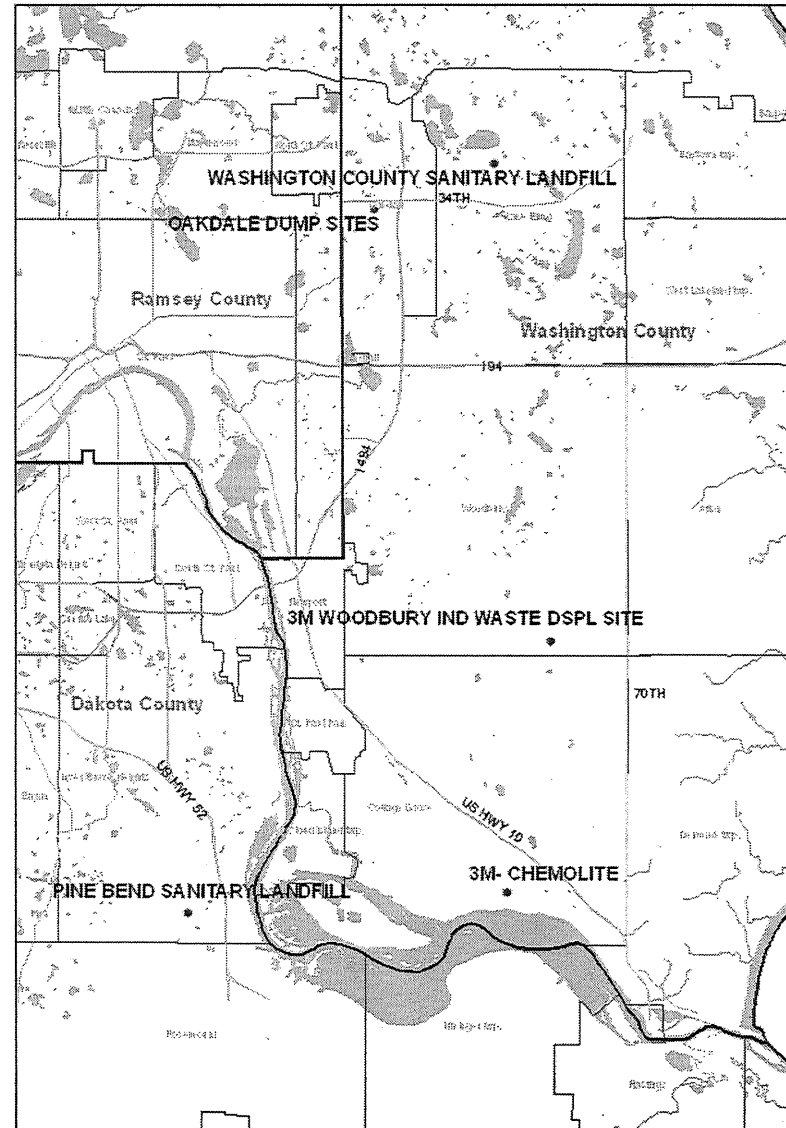
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- Closed Landfill Sampling and Monitoring
  - Led to private & municipal well sampling and remediation
- Active Landfill Evaluations
- Site Specific Work Under MERLA/Superfund
  - 3M data collection and submittals
  - MPCA activities and review
- Wastewater treatment system & Mississippi River monitoring

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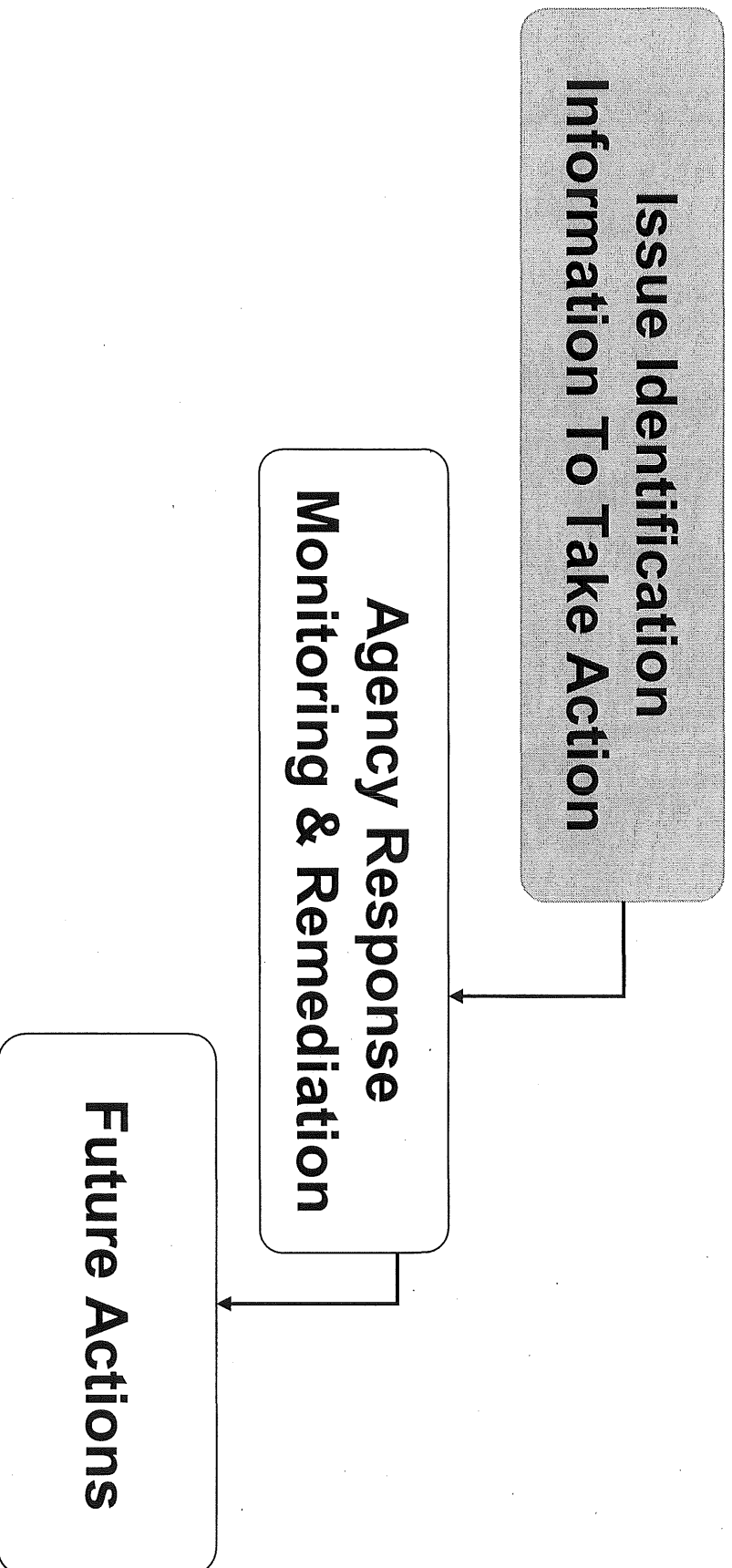
# PFC Disposal Sites

PFC Disposal Sites



# Response to PFC's

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# Overview of MPCA Programs

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## □ MERLA/Superfund

### ■ State program established in 1980

- Minnesota Superfund added 231 sites to the Project Priority List; 74 sites remain on the list
- Nationally recognized
- Annual report at <http://www.pca.state.mn.us/publications/reports/lrc-s1-sy05.pdf>

## □ Closed Landfill Program

### ■ State program established in 1994

- 109 landfill cleanup agreements and notices of compliance have been issued
- Nationally recognized
- Annual report at <http://www.pca.state.mn.us/publications/reports/lrc-s1-sy05.pdf>





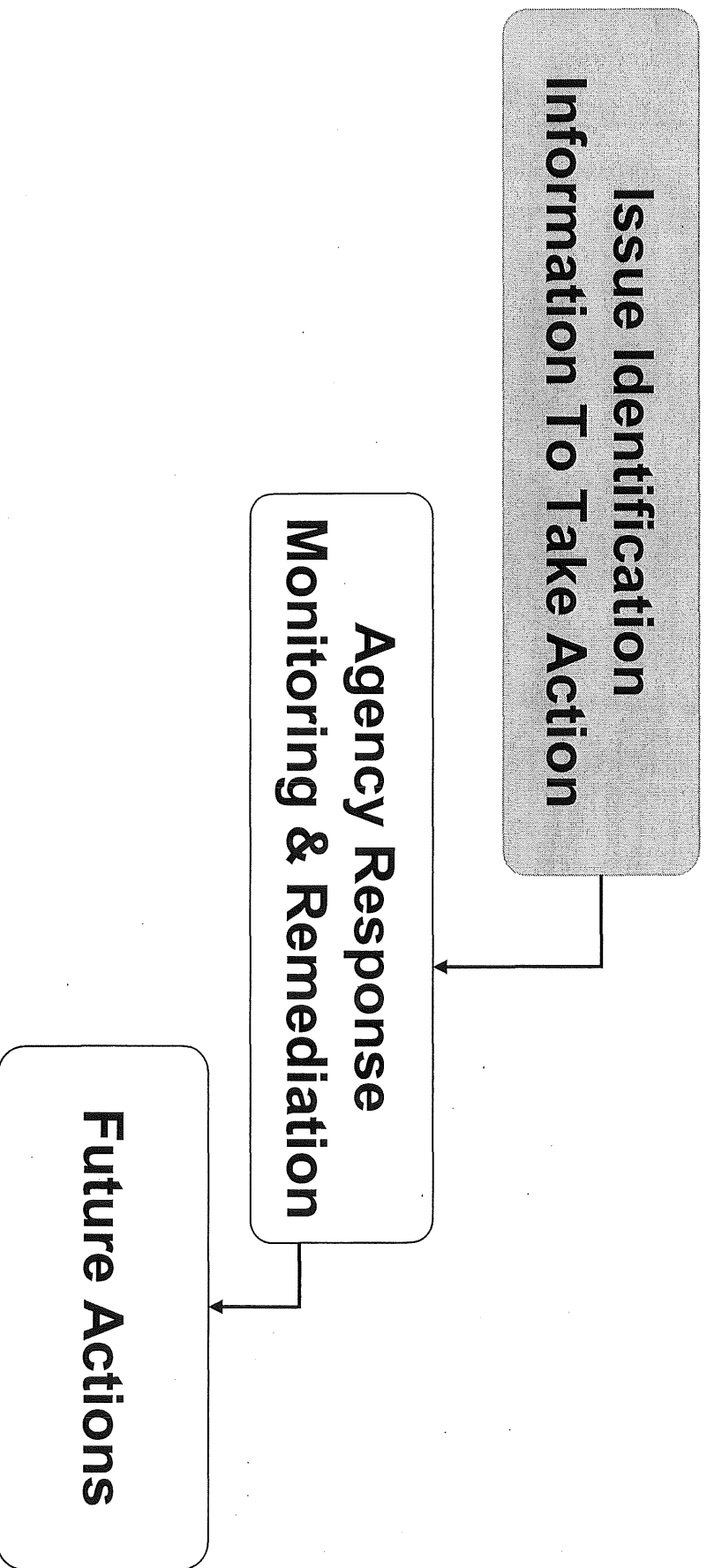
# Agency Response Monitoring & Remediation

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- PFC Interagency Team
  - Coordinate and direct state actions
  - Communication/cooperation with affected communities
  - Information compiled on MPCA website at <http://www.pca.state.mn.us/hot/pfc.html>

# Response to PFCs

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# Future MPCA Actions

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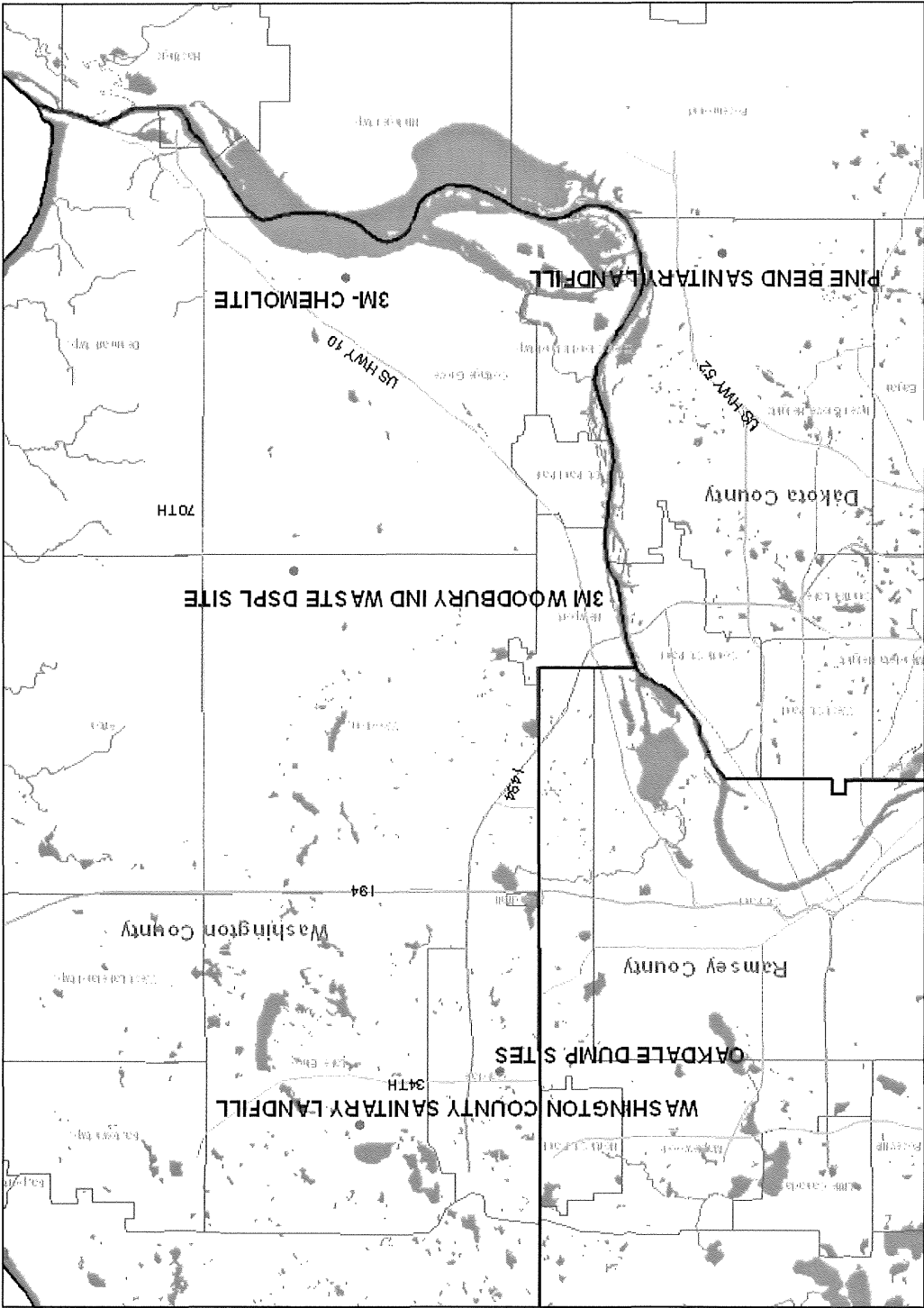
- Additional sampling in Mississippi River
- Additional Monitoring for PFC family of chemicals (C4 or C6)
- Additional fish tissue sampling
- Additional landfill evaluations
- Development of water quality standards for PFOS/PFOA
- Additional monitoring and other response actions as needed



# For more information contact:

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- **Kristen Applegate – 651.296.7305**
- **Tim Scherkenbach – 651.282.2643**
- <http://www.pca.state.mn.us/hot/pfc.html>



PFC Disposal Sites