

Senator
John Marty

Senate
State of Minnesota

August 3, 2005

Marvin Hora
Minnesota Pollution Control Agency
520 Lafayette Road North

Dear Mr. Hora:

Thank you for your recent letter in response to our request for information from Dr. Fardin Oliaei regarding PFCs and PBDEs. A number of the items that we requested were included with your letter, which we appreciate, along with some unrelated material that seemed to have nothing to do with our request. Unfortunately, we did not receive all of the information that we had requested. We would appreciate it if you and Dr. Oliaei would provide the rest of the information now.

Specifically, here are the items that we would now like to receive:

- Information on the MPCA's research priorities and the criteria used to select research proposals every year since 2003, and the justification for those priorities. At our meeting you indicated that MPCA may have other priorities for research than the subjects we discussed in the April 22 meeting.
- A fact sheet to be produced by Dr. Oliaei on PFCs. I would like for you to have her prepare such a fact sheet, in a reasonable timeframe, based on her research and investigation of this issue. (You sent us a fact sheet provided by the Minnesota Department of Health and the EPA, however, this does not include much of the information that we discussed in the meeting with you and Dr. Oliaei.)
- Information from Dr. Oliaei on where PFCs and PBDEs are produced and/or released, as well as where they are showing up in the environment in Minnesota, and at what levels they have been found.
- Information from Dr. Oliaei on toxicity and the levels of exposure we should be concerned about – for adults as well as for children and pregnant women.
- Any information that Dr. Oliaei can provide about the persistence and bioaccumulative properties of these toxic contaminants as found in fish, wildlife, human blood serum, human urine, and human breast milk.
- As we requested, you sent us copies of Dr. Oliaei's research proposals for the past three years. However, I noticed that not a single one of those proposals was funded by your division, even though her initial work was awarded funding by the division from 2000 – 2002. This is puzzling to me because her initial work indicated the presence of these contaminants in Minnesota's environment, which should lead to further investigation, not a cutoff of all funding at the beginning of 2003. I noted that two of her proposals were considered important enough to receive funding from the MPCA's closed landfill program, but even for these projects your division refused to provide funding. I would appreciate an explanation for this sharp change of direction in your research prioritization. As we indicated in the May 12 letter, there

are a number of legislators interested in the research scientists and aquatic toxicologists at the MPCA making it a priority to investigate and help establish safe

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levels of these chemicals in our water.

- Information from Dr. Oliaei about her comments during our meeting about the evidence of widespread human exposure and serious bioaccumulation of PFCs and PBDEs.
- Information and data available from Dr. Oliaei regarding her recent PFCs investigation funded by the MPCA Closed Landfill Program. It is my understanding that this investigation concerns PFC contamination in Minnesota landfills, rivers, in effluents of production facilities, in residential wells, sludge, and groundwater and surface water. I would appreciate having Dr. Oliaei present the findings of this investigation, including what further study is required based on these findings.
- Information on the status of Dr. Oliaei's proposal for a five year statewide environmental monitoring and biomonitoring program of PFCs in MN as shared in our meeting of April 22, 2005.
- Information regarding the MPCA's response to the February 25, 2005 memorandum from Dr. Oliaei that the agency study the impacts of C-4 based PFCs.
- Because of the delay in receiving the information from Dr. Oliaei, we also requested information on any barriers that might have prevented her from sharing this information with legislators. This information is even more pertinent now, because the response we received from our letter to her came from you, not her. In addition, we saw media reports of a whistleblower lawsuit shortly after that, in which she alleged that she was being harassed by the MPCA because of her research and communications on these issues.

There have been some recent news reports about growing concerns about the toxicity of these emerging contaminants and I believe it is important that the people of Minnesota receive as much information as possible regarding the risks they might face from exposure to them.

It would be greatly appreciated if you and Dr. Oliaei could respond to these requests for information that were not included in your last letter.

Thank you for your assistance.

Sincerely,

John Marty

cc: Dr. Fardin Oliaei
Commissioner Sheryl Corrigan
Rep. Karen Clark
Rep. Katie Sieben
Senator Sharon Marko
Mike Edgerly
Dennis Lien
Tom Meersman
Environmental Working Group
Minnesota Environmental Partnership
Minnesota Center for Environmental Advocacy