



June 25, 2007

Via E-mail

Comments of 3M on the  
Draft Risk Management Evaluation for PFOS

Dear Sir or Madam:

3M Company appreciates this opportunity to comment on the latest "Draft Risk Management Evaluation for PFOS, 2<sup>nd</sup> Working Draft" (Draft RME). We also have included as Attachment A to this letter a redline indicating our suggested revisions.

3M has participated as an "observer" to the POPRC Stockholm Convention process to date for PFOS. We have made a number of these comments previously through that process, but reiterate them here for the record.

1. Executive Summary

The Executive Summary (p. 4) states that "The 2nd meeting of the POPs Review Committee decided that PFOS is likely, as a result of its long-range environmental transport, to lead to significant adverse human health and environmental effects, such that global action is warranted." 3M has two significant concerns regarding this statement.

First, 3M understands that the POPRC decided at its second meeting that its risk profile document contains sufficient information to support the conclusion that PFOS satisfies the risk review standard set forth in Annex E of the Convention – *i.e.*, "the chemical is likely, as a result of its long-range environmental transport to lead to significant adverse human health and/or environmental effects such that global action is warranted". As 3M has pointed out in its various POPRC submissions, however, that document does not support such a finding, as it contains no original analysis and relies in a summary fashion on certain risk evaluations that have been the subject of scientific criticism and ignores other evaluations and information that would not support such a finding. See, e.g., "Format for submitting pursuant to Article 8 of the Stockholm Convention the information specified in Annex E of the Convention", Response of 3M Company (January 27, 2006).

Second, the POPRC process leading to this decision on PFOS (and more generally) lacks the scientific rigor necessary to support application of the Annex E risk review standard. 3M agrees with the discussion of this issue contained in the background paper "Key Issues for the

Stockholm Convention on Persistent Organic Pollutants 3<sup>rd</sup> Conference of the Parties” recently submitted to the POPRC by the International Council of Chemical Associations (Issue 3) and urges EPA to pursue these issues vigorously within the POPRC. In the meantime, 3M believes that to avoid being potentially misleading, the RME should note, at a minimum, the dissenting views around the POPRC’s PFOS decision and the concerns expressed about its Annex E risk profile process.

2. **Section 1.1 Chemical Identify of Proposed Substance**

a. 3M questions the accuracy of the following statement on page 5 and urges that the statement be omitted: "Although the ultimate net contribution of individual PFOS-related substances to the environmental loadings of PFOS cannot be predicted readily, there is a potential that any molecule containing the PFOS moiety could be a precursor to PFOS. This is further supported by modelling the fate of perfluorinated chemicals (PFCs) in the environment. There was a trend towards more bioaccumulative and more toxic products."

b. 3M requests the following statement on page 5 be revised to remove the reference to PFOA and carboxylic acid containing compounds, which have not been nominated, and hence, are not part of the POPRC’s evaluation process: “Perfluorooctanoic acid and perfluorooctanesulfonate were predicted to be the persistent biodegradation products of 17 and 27% of the perfluorinated sulphonic acid and carboxylic acid containing compounds, respectively.”

3. **Section 1.2: Conclusions of the Review Committee Annex E Information**

3M would offer the same comment as made above in the context of the Executive Summary about the issues raised by the POPRC risk profile process for PFOS.

4. **Section 2.3.7: Fire Fighting Foam**

3M believes that the key issue when substituting for PFOS-based fire fighting foams is the efficacy of potential alternatives. These foams combine proven effectiveness in combating high heat fires of chemical origin with long-term storage stability, and hence, offer critical safety protections. Notably, although certain alternatives, such as telomere-based foams, have comparable performance capabilities to PFOS-based foam, a number of the other foams discussed in Section 2.3.7. of the draft RME do not. 3M recommends that Section 2.3.7 be expanded to address efficacy.

5. **Section 2.4: Summary of Information on Impacts on Society of Implementing Possible Control Measures**

a. **Sweeping and Unsupported Statements**

Section 2.4 contains a number of sweeping statements about the possible global benefits of a ban on PFOS that simply do not accord with the extensive toxicological, ecological and environmental monitoring database. As one example, the first two paragraphs of Section 2.4



(page 18) assert that a positive human health and environmental impact will result from a ban on PFOS and that the impact will be “greatest” for “vulnerable groups such as pregnant women, embryos and infants”. This assertion has no scientific basis and rests on a false presumption of harm.

It is true that a global ban on PFOS production should reduce exposures over time. This fact does not mean, however, that current PFOS levels in humans and the environment are causing harm. To the contrary, all of the scientific evidence indicates that current levels do not have any adverse health or environmental impacts. Moreover, no support exists for the proposition -- also underlying many of the sweeping statements in Section 2.4 -- that absent a global ban, future PFOS levels would cause harm.

We understand that Section 2.4 summarizes statements made by Parties and observers to the POPRC. We question the appropriateness, however, of including these unsupported statements in the Draft RME and believe that they should be stricken from the document.

b. **Reference to Article 6**

Section 2.4.6. on "other impacts" (page 20) states that "[t]he large use of PFOS in consumer products has implications for municipal waste and disposal along with attention to production stockpiles. A listing of PFOS in Annex A or B would subject wastes, products or articles containing the substance to Article 6 of the Stockholm Convention and require that they be disposed, "... in a safe, efficient and environmentally sound manner." The Draft RME contains several other references to Article 6, including in the Executive Summary (page 4), which states that if PFOS gets listed in Annex A of the Convention, "[s]tockpiles and wastes containing PFOS or PFOS-related substances would be subject to the provisions in Article 6."

The application of Article 6 to “stockpiles and wastes containing PFOS and PFOS-related substances” raises numerous and complex issues. The Draft RME does not adequately identify – let alone address – those issues, which may have substantial impacts on the timing, costs, technical feasibility and other implementation aspects of any addition of PFOS to Annex A of the Convention. In this respect, 3M does not believe that the Draft RME covers all required elements in Annex F of the Convention, and hence, could not provide the basis for any decision or recommendation by the POPRC.

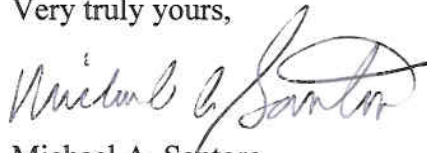
6. **Section 3.1 Summary of Risk Profile Information**

3M would offer the same comment as made above in the context of the Executive Summary about the issues raised by the POPRC risk profile process for PFOS.

\* \* \*

3M appreciates this opportunity to comment on the Draft RME. Please do not hesitate to give me a call with any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Michael A. Santoro". The signature is written in black ink and is positioned above the printed name and contact information.

Michael A. Santoro  
Director, Environmental, Health,  
Safety and Regulatory Affairs  
3M Company  
3M Center, Bldg. 236-1B-10  
P.O. Box 55144  
St. Paul, MN 55144  
651 733-6374  
E-mail: [masantoro@mmm.com](mailto:masantoro@mmm.com)

## ATTACHMENT A – REDLINE SHOWING SUGGESTED REVISIONS

### 1. Section 1.1 Chemical Identify of Proposed Substance

a. *Page 5, Paragraph following table 2, delete the following sentence: “This is further supported by modeling the fate of perfluorinated chemicals (PFCs) in the environment. There was a trend towards more bioaccumulative and more toxic products.”*

b. *Page 5, Paragraph following table 2, revise the following sentence: “~~Perfluorooctanoic acid and p~~Perfluorooctanesulfonate ~~were~~ was predicted to be the persistent biodegradation products of ~~17 and~~ 27% of the perfluorinated sulphonic acid ~~and~~ ~~carboxylic acid~~ containing compounds, ~~respectively.~~”*

### 2. Section 2.4: Summary of Information on Impacts on Society of Implementing Possible Control Measures

*Delete Sections 2.4.1 on Health, including public, environmental and occupational health, 2.4.2 on Agriculture, including aquaculture and forestry, Section 2.4.3 on Biota (biodiversity), 2.4.5 on Movement towards sustainable development and 2.4.6. on Other Impacts.*