

**Testimony to the House Committee On Climate, Energy and Environment  
re: HB 3512**

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Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations.

**Re: Oregon Environmental Council support for HB 3512**

Dear Chair Lively, Vice Chairs Gamba and Levy, and Members of the Committee,

On behalf of the Oregon Environmental Council (OEC), a non-partisan, environmental nonprofit that works at the nexus of human health and the environment, I want to express OEC's support for HB 3512.

PFAS (Per- and poly-fluoroalkyl substances) or 'forever chemicals' repel grease, oil, and water and they accumulate in the body and the environment.

PFAS chemicals were discovered in [1936 at DuPont by scientist Roy Plunkett during research on chlorofluorocarbon \(CFC\) refrigerants](#). [PFAS chemicals were used on the Manhattan project in the 1940's](#), but peacetime meant new uses were needed. The PFAS Teflon was added to frying pans by 1945, followed by more than 10,000 types of PFAS used for things like fabric treatments, dental floss, toys, cosmetics, clothing, food wrappers and more. First responders, including firefighters and military personnel, use a PFAS-containing firefighting foam (Aqueous film-forming foam, or AFFF) to suppress flammable liquid fires. You can be exposed to these PFAS chemicals through skin, from water, and from inhaling household dust.

PFAS chemicals cause health problems that mirror the [common health issues facing Americans](#) such as cancer ([testicular](#), [thyroid](#), [kidney](#)), [high cholesterol and heart disease](#) and [problems with the immune system](#). PFAS also causes reproductive and hormone systems problems such as [thyroid disease](#), [liver damage](#), [preeclampsia](#), [fertility issues](#) and [early puberty](#). PFAS pollutants can actually cross the "placental barrier" and cause harm before a baby is born, including [low birth weight](#), and [birth defects](#). Thinking about the developing brain, this can mean future difficulty with [learning, attention, and regulating behavior](#).

Almost immediately after the invention of PFAS, these health concerns emerged, but were ignored by industry. In the 1940's, [three DuPont scientists died](#) after being exposed to PFAS. In the 1970's companies knew PFAS caused [death and liver damage to lab animals and liver abnormalities in factory workers](#), and that [PFAS did not break down](#) for hundreds or thousands of years. An industry study in 1978 ended with [all the subject monkeys dead](#). [It was known by the 1980's that PFAS may cause birth defects](#) and [was in the blood of most people](#) but [the Environmental Protection Agency \(EPA\) was not informed of this danger or pervasiveness until 1999](#). Considering firefighting foam, [studies by the Department of Defense identified toxicity from PFAS in the firefighting foam \(AFFF\) used on military bases and ships and called for treatment of PFAS waste to protect military families living on base](#). The Pentagon [phased out PFAS in firefighting foam in 2024](#) and the Department of Defense has spent \$2.6 billion since 2016 assessing PFAS releases at 718 military sites— none of which are fully cleaned up to date. As late as 1981 the [makers of some firefighting foam containing PFAS were assuring firefighters the material was safe](#).

PFAS has now been found in [drinking water](#), [groundwater](#) and [soil](#). It has also been found in [breastmilk](#) and in the [blood of most Americans](#). In Oregon though, we now have the chance to pass HB 3512 to phase out harmful PFAS chemicals by building on successes here and across the country– in a practical and fiscally responsible way. More than half of states have already phased out PFAS chemicals in firefighting foam and other products.

HB 3512 seeks to level the playing field for businesses that play by the rules by presuming intentionally added PFAS if a total fluorine (TF) test identifies fluorine. This presumption is rebuttable. You may wonder, but what if that test picks up a trace amount? Well, the TF test can only identify fluorine in the parts per million or higher magnitude. If your product contains fluorine in parts per million there are several scenarios:

1. The fluorine represents intentionally added PFAS. [We know from product reporting laws that PFAS is added to products at the parts per million level to change product performance](#). Such a scenario would give a dishonest company a competitive advantage but this test would identify that added PFAS.
2. You have a product where you added something that has inorganic fluorine, (such as toothpaste) which would show up on the TF test but not be PFAS. In that case, a manufacturer can simply rebut the presumption by identifying the inorganic fluorine item that was added.
3. The final scenario could occur from contamination, such as if your product contains water and the water has PFAS contamination. Remember, we see health effects from water at the parts per TRILLION level. If your company is using water in manufacturing that is contaminated with PFAS at the parts per MILLION level, then that is several magnitudes beyond what is dangerous as contamination- because we see health effects at a few parts per trillion for PFAS. At that point, we would have grave concern for your factory workers and for the community around your facility, and we would have much bigger problems to address.

This bill was crafted with partnerships from scientific and policy experts from across the country, and we have responded to [frequently asked questions](#) to ensure open dialogue and for those who want to understand the science.

The impact of HB 3512 will include:

- Continue to protect Oregon's children from toxic chemicals and build on efforts like the Toxic Free Kids Act and the Toxic Free Cosmetic Act.
- Stop PFAS contamination at the source and prevent these chemicals from getting into our [soil](#) and [water](#) where they impact the [crops](#), [pollinators](#), [livestock](#) and [fish](#) on which we depend.
- Prevent firefighter illness. Firefighters have a [9% higher risk of being diagnosed with cancer and a 14% higher risk of dying from cancer](#) than the general U.S. population.
- Ensure clean drinking water. Keeping contaminants out of our water means healthy Oregonians. Ratepayers shouldn't be stuck with the bill for ongoing water treatment costs.

In the end, this is about listening to the science and upholding Oregon values.

Think about the Oregonians who are already unknowingly impacted by PFAS, especially those [children](#) and [first responders](#) who cannot choose to avoid exposing themselves to it. The best time to ban PFAS was in 1940. The second best time is today.

Sincerely,

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