



October 1, 2020  
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**RE: Ecology Aqueous Film Forming Foam Collection Program (SEPA# 202004521)**

The American Petroleum Institute (API), the American Fuel & Petrochemical Manufacturers (AFPM), and the Western States Petroleum Association (WSPA), herein referred to as “the Associations,” offer for your consideration the following comments in relation to the Washington Department of Ecology’s decision to pursue incineration as the disposal option for firefighting foam concentrate.

API is the primary trade association of America’s oil and natural gas industry representing companies involved in all aspects of the oil and natural gas industry, including exploration, production, refining, transportation, distribution, and marketing of petroleum and petroleum products.

AFPM is a national trade association representing nearly all U.S. refining and petrochemical manufacturing capacity. AFPM members produce the fuels that drive the U.S. economy and the chemical building blocks integral to millions of products that make modern life possible.

WSPA is a non-profit trade association that represents companies that explore for, produce, refine, transport and market petroleum, petroleum products, natural gas, and other energy supplies in Washington and four other western states.

Collectively, the Associations represent member companies that utilize firefighting foam to respond to, and prevent, large petrochemical tank fires.

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Through a safe disposal program for firefighting foam<sup>1</sup>, the WA Department of Ecology (the “Department”) worked with local fire departments and other first responders with stockpiles of firefighting foam containing per- and polyfluoroalkyl substances (PFAS) to collect and safely dispose of this material. The Department has selected to incinerate these materials at the Clean Harbors facility in Aragonite, Utah as described in their Determination of Nonsignificance<sup>2</sup>.

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<sup>1</sup> <https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Addressing-priority-toxic-chemicals/PFAS/Toxics-in-firefighting>

<sup>2</sup> <https://apps.ecology.wa.gov/separ/Main/SEPA/Document/DocumentOpenHandler.ashx?DocumentId=97538>

The Associations support the Department's proposed plan to dispose of the PFAS containing firefighting foam concentrate at the Clean Harbors facility in Aragonite, Utah. When conducted under appropriate conditions, including temperature and residence time, thermal destruction has been shown to be an effective means for destroying the PFAS of concern in firefighting foam<sup>3</sup>. As described by the Department's Determination of Nonsignificance, the Aragonite facility can effectively manage the products of the incineration process, including hydrogen fluoride and potential byproducts of incomplete combustion.

While the Associations support the Department's decision to use the Clean Harbors facility in Aragonite, Utah as the disposal option for the collected firefighting foam, we also would like to encourage the state to continue to evaluate the available science and data regarding the disposal and destruction of PFAS waste and PFAS containing firefighting foam. Under appropriate circumstances, landfilling, deep-well injection, solidification/encapsulation, and thermal destruction at facilities other than Aragonite facility should continue to be viable options for disposal. These methods have been demonstrated as effective solutions for managing a variety of wide waste-types under contemporary regulations and provide flexibility for stakeholders to responsibly manage their waste in a manner protective of the environment and human health.

Lastly, the Associations believe that this is an opportunity to further advance the understanding of the thermal destruction of PFAS containing firefighting foam. We encourage the Department to make public, any data or information about operating parameters and emissions collected during the project.

The Associations appreciate the opportunity to provide feedback on this important issue. If you have any immediate questions, please contact Timothy Steffek of API at (202) 682-8155 or via email at [SteffekT@api.org](mailto:SteffekT@api.org).



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<sup>3</sup> <http://www.crwi.org/textfiles/dod20.pdf>