ASSOCIATION OF METROPOLITAN WATER AGENCIES

LEADERS IN WATER

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July 11, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Re: Docket No. EPA-HQ-OW-2018-0270, *PFAS National Leadership Summit and Engagement*

Dear Acting Administrator Wheeler,

The Association of Metropolitan Agencies (AMWA) is an organization representing the largest publicly owned drinking water utilities in the United States. Any changes in the development of national primary drinking water regulations, health advisories, or guidance significantly impact our members. EPA has published a request for comment on per- and polyfluoroalkyl substances (PFAS) after hosting a national summit. AMWA was pleased to be invited and appreciates EPA's work to involve stakeholders in the regulatory process.

As EPA explores the options for managing PFAS chemicals, the agency must be aware that whatever path is decided will set the stage for how we deal with emerging contaminants going forward. Therefore, it is crucial that the agency consider decisions regarding PFAS in this context. Whether EPA sets a standard for PFAS under the Safe Drinking Water Act or develops a health advisory and/or guidance, the agency needs to be transparent about the state of the science, the health impacts, available treatment, cost and the source(s) of the contamination.

First and foremost, EPA must support local utilities by providing guidance and spearheading communication and education for the public. Public utilities have faced numerous difficulties with communicating the risks of contaminants to their customers, particularly when EPA has issued health advisories. The public often misinterprets health advisories as a regulatory action and this has caused a lack of trust between the consumer and the utility, particularly if the utility determines no action is needed. PFAS chemicals have drawn extensive scrutiny from the public and it is imperative that the agency be prepared to assist utilities in managing any transition or changes in regards to these contaminants.

Secondly, EPA should work to support and promote research related to PFAS detection, public health effects, and treatment and/or removal of these contaminants from drinking water. Regarding detection

methods, there is currently no standard method for the analysis of short-chain PFAS, including GenX. EPA is working on developing this standard, but doesn't anticipate it being available until 2019[i]. The agency should work to ensure that an acceptable method for detecting short-chain PFAS chemicals is in place and a sufficient number of laboratories are certified in order to handle the increased demand before issuing any regulations or health advisories for PFAS chemicals like GenX.

Outside of EPA method 537, which is used to detect multiple PFAS chemicals including PFOA and PFOS, "modified Method 537" protocols have been developed increasing the level and scope at which we've been able to detect PFAS chemicals. EPA has cautioned the use of these methods stating, "modified methods have no consistent sample collection guidelines and have not been validated or systematically assessed for data quality[ii]." However, states have already begun sampling for PFAS chemicals other than those approved by EPA under method 537. For example, North Carolina's Department for Environmental Quality's sampling efforts for GenX[iii] and Minnesota's Department of Health, which has long been sampling for Pentafluorobenzoic Acid (PFBA) alongside PFOA and PFOS[iv]. In addition, states like Minnesota are testing for PFAS chemicals within groundwater, source waters, and soil, all of which do not have an approved EPA sampling method[v]. As the leading voice on this issue, EPA should work to standardize methods for not only additional PFAS chemicals within drinking water, but also within other media. The uncertainty surrounding this complex issue reinforces the need to develop consistent risk communication practices.

According to presentations given at the PFAS Summit, nearly 900 new PFAS have come through EPA's TSCA program since 2006[vi], and this family of chemicals may encompass 3000 or more man-made compounds. Labs can currently only analyze six to 39 of these compounds[vii]. These detection capabilities have outpaced our knowledge on how to treat and/or remove them from drinking water sources, as well as our knowledge for what exposure to these chemicals means for public health. This has created a difficult scenario where public health agencies and utilities may inform the public that these chemicals exist in their water, but will have no answers for what that means for their customers' health. Again, the agency must work towards finding reliable detection methods for these chemicals, and also work with communities to educate the public as to what these detections mean for their health.

The lack of research regarding the public health effects of PFAS chemicals must be addressed so that utilities may focus their resources on those contaminants that present the most meaningful opportunity for health risk reduction. Industry has already phased out long-chain PFAS, including PFOA and PFAS, but many chemicals that have been substituted are also in the PFAS family, such as the shorter chain "GenX", and their possible health effects are unknown[viii]. We must have a better understanding of the true health impacts of this suite of chemicals so that we may better address them within the regulatory framework.

Currently, there are large deficiencies in the knowledge for removing PFAS chemicals from drinking water. Conventional treatment such as ozonation, biofiltration, and UV disinfection do not remove these contaminants[ix]. Research has shown that granular activated carbon or osmosis may be sufficient for removing these contaminants[x], but more research is needed to determine the methods that should be utilized for treatment and/or removal. It is crucial that we have effective treatment technologies that are available and feasible to implement before any regulatory or non-regulatory action is taken.

Finally, PFAS are man-made chemicals and therefore are not found naturally in the environment. EPA should work to prevent industrial releases of these chemicals and support efforts to remediate already contaminated sites through the Clean Water Act, CERCLA and other authorities available to the agency. The agency should work to prevent these chemicals from entering source waters, therefore decreasing the need for removing PFAS at the utility.

In conclusion, EPA must carefully consider the options for addressing PFAS, as these methods will likely influence future policies for dealing with emerging contaminants. Public communication and education will be paramount regardless of the steps taken to address these chemicals. Extensive research is needed to fully understand the public health effects, develop standardized detection methods, determine ways in which to treat and remove these chemicals, and develop ways to prevent them from reaching source waters. AMWA appreciates the work that EPA has done so far to address this emerging issue and thanks the agency for continuing to include drinking water utilities in the conversation for the next steps relating to PFAS. AMWA's members are committed to protecting public health and look forward to working with EPA throughout this process.

If you have any questions, please contact Stephanie Hayes Schlea (schlea@amwa.net), AMWA's Manager of Regulatory and Scientific Affairs.

Sincerely,

Diane VanDe Hei
Chief Executive Officer

cc: David Ross, Assistant Administrator for Water
Peter Grevatt, Director, Office of Ground Water and Drinking Water

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[ii] Environmental Protection Agency. (2018). Perfluoroalkyl and Polyfluoroalkyl Substance (PFAS): Methods and guidance for sampling and analyzing water and other environmental media. Retrieved from https://www.epa.gov/sites/production/files/2018-04/documents/pfas_methods_tech_brief_02apr18_revison.pdf.

[iii] North Carolina Department for Environmental Quality. GenX Sampling Sites. Retrieved from https://deq.nc.gov/news/hot-topics/genx-investigation/genx-sampling-sites.

[iv] U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry. (2018). Perfluorochemical Contamination in Lake Elmo and Oakdale, Washington County, Minnesota. Retrieved from http://www.health.state.mn.us/divs/eh/hazardous/sites/washington/lakeelmo/phaelmooakdale.pdf.

[v] Environmental Protection Agency. April, 2018. Technical Brief Innovative Research for a Sustainable Future: Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS). Retrieved from https://www.epa.gov/sites/production/files/2018-04/documents/pfas_methods_tech_brief_02apr18_revison.pdf.

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