



January 9, 2020

RE: Support the Shimkus Amendment to H.R. 535

Dear Representative:

The undersigned organizations representing the nation's drinking water utilities wish to express our support for the Shimkus Amendment to H.R. 535, the PFAS Action Act of 2019. The amendment would address some of our concerns with the legislation's proposed changes to the Safe Drinking Water Act's (SDWA) regulatory process for per- and polyfluoroalkyl substances (PFAS).

As approved by the House Energy and Commerce Committee, H.R. 535 would establish a unique, expedited regulatory process for PFAS under SDWA, and would also dictate the circumstances under which EPA must issue future health advisories related to these substances. This proposal moves away from the established regulatory process that EPA must follow when regulating any other drinking water contaminant.

We believe that any new drinking water regulations should be transparent, science-based, and enacted with the goal of feasibly reducing risks to public health. Just like regulations pertaining to any other contaminant, those addressing PFAS in drinking water should follow the consistent regulatory process laid out in SDWA. Requiring EPA to develop and issue regulations for PFAS more quickly, or with different considerations, than those of other contaminants could lead to premature regulatory decisions that lack the scientific rigor otherwise assured by SDWA. Similarly, requiring EPA to issue a health advisory for any PFAS for which EPA finalizes a toxicity value and a validated testing procedure could lead to repeated new PFAS health advisories that may report little risk to public health, but nevertheless undermine the public's confidence in their drinking water.

The Shimkus Amendment would address some of these concerns by eliminating the new health advisory mandate and requiring EPA to develop future drinking water regulations related to PFAS in a manner more consistent with current practices. While the Shimkus Amendment does not address every concern we have about the legislation's proposed changes to the SDWA regulatory process for PFAS, it represents an improvement over the committee-approved text. We therefore urge support for this amendment.

While our organizations remain unable to support H.R. 535, the Shimkus Amendment deserves the approval of the House.

Sincerely,

American Water Works Association
Association of Metropolitan Water Agencies
National Association of Water Companies