



May 10, 2021
Ms. Radhika Fox
Principal Deputy Assistant Administrator
Office of Water
U. S. Environmental Protection Agency

Re: Docket ID: EPA-HQ-OW-2020-0530, Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems and Announcement of Public Meeting

Dear Principal Deputy Assistant Administrator Fox,

The Association of Metropolitan Water Agencies (AMWA) is an organization representing the largest publicly owned drinking water utilities in the United States. AMWA thanks the agency for the opportunity to comment on the agency’s proposed revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5).

AMWA supports EPA’s inclusion of the 29 per- and polyfluoroalkyl substances (PFAS) which have validated testing methods. PFAS are of increasing concern to AMWA’s members and the association has consistently urged EPA to prioritize PFAS research in both occurrence and health effects data. AMWA encourages EPA to continue the agency’s PFAS research goals, particularly obtaining reliable health effects data and developing new, cost-effective treatment options so that drinking water utilities can more efficiently address these contaminants.

AMWA has continually highlighted the difficulties that arise from being able to identify a substance within drinking water yet being unable to provide context for public health or the ability to remove it from the finished drinking water. As EPA works to finalize this rule, AMWA urges the agency to prioritize the development of risk communication tools before water systems commence testing. This will prepare utilities to respond immediately when and if they find PFAS in their drinking water.

AMWA also supports EPA’s proposal to reduce the number of days a lab has to post UCMR monitoring results from 120 days to 90 days. The association believes this could be an improvement towards helping to keep the quarterly sample timeline on track, specifically in situations where there are QA/QC issues that would require the system to resample. AMWA members have reported difficulties reconciling QA/QC issues with labs that routinely wait until the end of a 120-day period to post their results. A 90-day timeline for labs would better allow

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utilities to address the issue before the end of the quarterly monitoring period.

However, with regard to EPA's proposal for a reduction of the utility reporting timeline from 60 days to 30 days, AMWA does not believe that EPA's observation "many large PWSs are approving and submitting data within 30 days of their laboratory posting the data" warrants the proposed decrease in the time allowed for utilities to review data. AMWA feels this shortened period could be burdensome to utilities. While it is likely that many utilities may be able to review data within this time frame, there are events where utilities need sufficient time to work with the labs to rectify potential QA/QC issues before they approve data in the Safe Drinking Water Accession and Review System (SDWARS).

This is especially important given that both laboratories and utilities are not familiar with the new PFAS method and many potential sampling and QA/QC issues may arise. Under a reduced timeline, scenarios such as this would be counted against utilities for no fault of their own. Reducing the utility timeline from 60 days to 30 days does not provide significant public health benefit and may hinder water systems' ability to ascertain the quality of data. AMWA therefore requests that EPA remove this change from the final rule.

If EPA decides to keep this change, AMWA requests that EPA take measures to ensure that SDWARS is up and running without significant issues. AMWA members have reported difficulties in using the system, which can cause significant delays. AMWA also requests that EPA include options for extensions to these timelines should issues with SDWARS arise.

AMWA also encourages EPA to reconsider the practice of requiring all utilities that purchase 100% of their water to monitor under the UCMR. If a consecutive system, one which purchases its water from a separate wholesaler, is using the same source and treatment as the utility from which they have purchased the water and not adding any additional treatment, there would be no discernible change from the water originally tested at the wholesaler's treatment facility. Requiring these consecutive systems to monitor under the UCMR is a waste of effort and money on the part of the utility and provides no substantial benefit or data to the UCMR. If information is needed by EPA regarding the population served by its consecutive systems or other system characteristics, EPA can easily work with the wholesale system to gather that information for its analyses.

Additionally, AMWA believes that EPA's proposed requirement to use EPA Method 533 for 25 of the required PFAS targets and EPA Method 537.1 for only four targets, despite the overlap of 14 common PFAS across the two methods, is an unnecessary restriction and can cause significant increases to labor and supply costs for utilities. Utilities using EPA Method 537.1 can still meet UCMR5's minimum reporting limits but would avoid the additional analytical costs incurred from the added complexity of EPA Method 533 and the lack of experience among laboratories with the new EPA method. An AMWA member has reported an estimated cost savings of up to 10% per sample if allotted the flexibility to use EPA Method 537.1 for those target compounds which overlap. Therefore, AMWA suggests that EPA allow utilities and

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laboratories the flexibility to report up to 18 of the required target compounds using EPA Method 537.1.

Finally, AMWA would like to highlight a concern within certain data elements included in the reporting requirements for UCMR 5, particularly elements 26, 27, and 28. The association understands EPA's desire to obtain data related to water treatment for the identified UCMR contaminants, potential PFAS sources, and direct potable reuse as this information can help to inform the agency's work. However, AMWA would like to emphasize the limitations of this data for informing any future regulatory actions. The questions as proposed are broad and therefore open to interpretation and EPA will likely get a wide swath of varied answers which the agency will likely struggle to characterize in any systematic way. If EPA decides to keep these questions, it should explain in the final rule the rationale for these questions and also discuss the limitations in the data for rulemaking. If the agency is hoping to use this data simply as a baseline in which EPA can seek further information at a later time via a more robust ICR, then the agency should clearly express this in the preamble to the final rule. AMWA is concerned that having utilities report this information without context could be misused, misrepresented or misunderstood by groups outside of EPA and by the agency itself.

Thank you for the opportunity to comment. If you have any questions about these comments, please contact Stephanie Hayes Schlea, AMWA's Director of Regulatory and Scientific Affairs at schlea@amwa.net.

Sincerely,



Diane VanDe Hei
Chief Executive Officer
Association of Metropolitan Water Agencies

Cc: Jennifer McLain, Office of Ground Water and Drinking Water
Brenda Bowden, Office of Ground Water and Drinking Water