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Adam Krantz

February 2, 2020

Daniel R. Bushman
Toxic Release Inventory Program Division
Mail Code 7410M
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington DC 20460

Re: Addition of Certain Per- and Polyfluoroalkyl Substances; Community Right-to-Know Toxic Chemical Release Reporting (EPA-HQ-TRI-2019-0375)

Dear Mr. Bushman:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the US Environmental Protection Agency's advanced notice of proposed rulemaking (ANPRM) to add certain per- and polyfluoroalkyl substances (PFAS) to the list of chemicals subject to reporting under the Emergency Planning Community Right-to-Know Act (EPCRA), 84 Fed. Reg. 66369 (Dec. 4, 2019). NACWA represents the interests of over 330 public clean water utilities of all sizes and geographic regions that are responsible for managing billions of gallons of wastewater every day to ensure the continued protection of public health and the environment.

NACWA supports EPA's efforts to list certain PFAS compounds on the Toxic Release Inventory (TRI) because adding facilities that manufacture or use these chemicals will help public clean water utilities better understand the upstream sources and quantities of PFAS entering their treatment systems. Under the Clean Water Act (CWA), many public clean water utilities or publicly owned treatment works (POTWs) have authorization from EPA or their state to implement industrial pretreatment programs. This authority gives POTWs the ability to permit and enforce upstream industrial discharges that may introduce pollutants that interfere with or pass through the treatment process with an overall goal of reducing conventional and toxic pollutants discharged into the environment. Adding certain PFAS compounds to the TRI will assist these POTWs in their pretreatment efforts and provide a source of valuable information for those POTWs that may not have pretreatment programs.

With the rise of public interest in PFAS compounds and the difficulties of source identification, our public utility members—who are not manufacturers or sources of PFAS but passive receivers who generally must accept whatever has been discharged into their collection systems—are beginning to evaluate the makeup of industrial users in their communities to determine if they may be sources of PFAS. Because PFAS are found in a broad range of commercial products, identifying the actual sources of significant quantities of PFAS coming into treatment systems, which the TRI will assist with, will be beneficial. NACWA supports EPA's efforts to better understand which PFAS compounds to add to the TRI and what are the appropriate reporting thresholds. These EPA actions may

help POTWs identify additional or unknown facilities that are contributing PFAS compounds to wastewater treatment plants.

EPA's PFAS Action Plan highlights the need for a greater understanding and knowledge of PFAS releases. This ANPRM is an effort to gather the necessary input on how to best approach the inherent complexities of PFAS as individual chemicals or as a class of compounds, toxicological uncertainties, and appropriate reportable thresholds. Consistent with the recent passage of the National Defense Authorization Act (NDAA) and EPA's Action Plan, EPA's efforts through this ANPRM will be helpful to inform decision-making by communities and POTWs.

If you have any questions, please contact me by phone at 202/533-1839 or by email at eremmel@nacwa.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Remmel". The signature is fluid and cursive, with the first name "Emily" being more prominent than the last name "Remmel".

Emily Remmel
Director, Regulatory Affairs