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1130 Connecticut Ave NW
Suite 1050
Washington DC 20036

**T** (202) 833-2672
**F** (888) 267-9505

**www.nacwa.org**

August 29, 2022

Office of Science and Technology Policy (OSTP)
Executive Office of the President
1650 Pennsylvania Avenue NW
Washington, D.C. 20504

Sent via Electronic Mail

SUBJECT: 'RFI Response: PFAS Strategic Plan'

RE: *Request for Information; Identifying Critical Data Gaps and Needs To Inform Federal Strategic Plan for PFAS Research and Development*

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to submit comments with respect to the Office of Science and Technology Policy (OS TP) request on identified data gaps that will help inform a strategic plan for Federal coordination of per- and polyfluoroalkyl substance (PFAS) research and development.

NACWA believes that PFAS should be kept out of our nation's water supplies, and that PFAS polluters should be held responsible. The fundamental mission of water and wastewater utilities is to protect public health and the environment, and in doing so they must also be mindful of affordability and the financial burden borne by their customers and the communities they serve. Utilities are tremendously concerned about what PFAS is doing in their communities and, as they have done with all previous public health and environmental challenges, are committed partners in finding a solution to this problem.

Unfortunately, much is still unknown about PFAS and its impact on the environment and public health, including at what thresholds it presents an actual risk to human health. Before public wastewater utilities potentially invest millions of dollars to treat for PFAS – with all the money coming from local communities via higher sewer bills – it is critical that scientific research identify exactly what public clean water utilities should be treating for. This is especially true when public wastewater utilities – and their local ratepayers – are not responsible for creating PFAS in the first place.

Our understanding of the relationship between PFAS exposure and human health is incomplete due to limitations in study sample size, over-reliance on mortality data, scarcity of data for less-studied PFAS compounds, and inconsistent use of research methodology. Addressing these questions will require targeted research and new analytical methods that are means tested and standardized by EPA. It also will require significant federal inter-agency coordination and cross-sector partnerships to advance our understanding and ability to mitigate the human health effects of PFAS exposure.

Analytical monitoring techniques have advanced over the years, allowing PFAS compounds to be detected at extremely small concentrations in controlled laboratory settings. However, the mere presence of these chemicals in very small amounts does not necessarily mean they present environmental and public health risks.

Public clean water utilities are faced with complex, heterogenous wastewater that include domestic, industrial, and commercial sources of PFAS. The sensitivity and specificity of existing PFAS analytical methods has not proven robust enough to be reliable and regulatorily binding for public clean water utilities. These utilities were not traditionally designed or intended with PFAS treatment capabilities in mind. Today, there are no cost-effective techniques available to treat or remove or destroy PFAS from the sheer volume of wastewater, municipal stormwater, or tons of biosolids managed daily by clean water utilities.

Closing scientific gaps in risk assessment is imperative to gain a better understanding of the concentrations of these chemicals, individually or aggregated, that pose an actual risk to public health and the environment, as well as the fate and transport pathways by which these chemicals move in the environment. A greater focus on understanding exposure routes from various media (consumer goods; food; water; air etc.) will also help guide appropriate responses to reducing PFAS risks and understanding the best opportunities for source control and reducing unnecessary exposures.

Beyond our scientific methodology concerns, EPA's actions to designate PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) provides a mechanism for leveraging federal action to address existing contamination. With a CERCLA hazardous substance designation, there could be unintended consequences that hold public utilities potentially liable for cleanup costs, particularly where biosolids from the treatment process containing low levels of PFAS have been beneficially land applied for their fertilizer value.

Removing these chemicals from wastewater influent/effluent would require advanced treatment techniques such as granular activated carbon (GAC), ion exchange (IX) or reverse osmosis (RO). These treatment methods are prohibitively expensive for the volume that needs to be treated, and it remains unanswered how and where to dispose of the PFAS contaminated concentrated generated from these processes.

The federal strategic road map must focus on identifying and addressing sources of PFAS at the point of generation and introduction into the environment, and must also ensure that liable parties – not passive receivers of PFAS like wastewater treatment plants - are held responsible. Federal guidance must also prioritize identification of the highest-priority PFAS discharges to municipal wastewater facilities and provide utilities with any additional authorities necessary to prevent the pass-through of these constituents and interference with the treatment processes.

NACWA urges OSTP to consider these concerns so that federal response guidance appropriately reflects the risks posed by PFAS, closes the unresolved scientific gaps—including fate, transport, and toxicity of PFAS using a science-based approach—and evaluates the appropriate regulatory response to target the sources of PFAS and the responsible disposal of contaminated concentrate.

Thank you again for the opportunity to provide these comments. Please don't hesitate to contact me a *dcloutier@nacwa.org* or 262.989.6587 with questions or to discuss further.

Sincerely,

Danielle Cloutier
Director, Legislative Affairs