



NCEL

National Caucus of
Environmental Legislators

May 25, 2023

Administrator Michael S. Regan
U.S. Environmental Protection Agency
EPA Docket Center, OW Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Regan,

Re: Per- and Polyfluoroalkyl Substances (PFAS): Proposed National Primary Drinking Water Regulations (Docket ID: EPA-HQ-OW-2022-0114)

The undersigned 278 state legislators strongly support the regulation of per- and polyfluoroalkyl substances (PFAS) in drinking water under the authority of the federal Safe Drinking Water Act, as proposed by the Environmental Protection Agency (EPA) and published in the Federal Register on March 29, 2023. EPA's proposal to set strong, scientifically supported drinking water standards for six PFAS is an important step toward fulfilling the Biden Administration's commitment to tackle these toxic forever chemicals. We commend EPA's recognition that both individual PFAS and chemical mixtures of PFAS can threaten human health. We urge you to finalize the standards as quickly as possible.

National standards to limit the concentration of PFAS in drinking water are long overdue. For decades, PFAS have been used in thousands of applications, and a peer-reviewed study estimates that PFAS may be present in the drinking water of more than 200 million people across the country. EPA's proposal for six PFAS would set the national standard for PFOA and PFOS at a level of four parts per trillion and would establish limits on GenX, PFBS, PFNA, and PFHxS using a hazard index. EPA estimates that 94 million people currently receive drinking water contaminated by one or more of these PFAS chemicals at levels above the limits proposed by EPA. The regulation of PFAS will improve drinking water safety for millions of residents we serve.

Due to drinking water being a significant pathway of PFAS exposure, addressing contamination before it reaches our taps is key to reducing associated health problems. The Safe Drinking Water Act requires that national drinking water standards present a meaningful opportunity to reduce health risks. EPA's proposal would significantly reduce exposure to PFAS in drinking water and as a result, lower risks of related health impacts.

The PFAS addressed by EPA's proposal are among a class of thousands of forever chemicals. EPA's proposal to use a hazard index to address multiple co-occurring PFAS recognizes the risks associated with harmful chemical mixtures. Like many members of the PFAS class, PFBS, PFNA, GenX, and PFHxS have similar chemical structures and cause similar health effects. Many of the communities we represent are exposed and harmed by mixtures of those PFAS in their drinking water. EPA's approach provides a framework for addressing additional PFAS and mixtures of chemicals in the future, which would allow the Agency to move more rapidly to protect public health.

Under EPA's proposal, drinking water utilities will be required to test water for PFOA, PFOS, GenX, PFBS, PFNA, and PFHxS and install treatment technologies to reduce the concentrations of these chemicals to the level of EPA's proposed "maximum contaminant levels" or lower. Fortunately, proven technology is available that will not only reduce the presence of the six PFAS in EPA's proposal, but will also improve protection against other PFAS compounds and common contaminants.

While some water utilities have already installed water treatment technology capable of reducing PFAS, many are not yet equipped to do so. To help communities, Congress passed the Bipartisan Infrastructure Law which provides \$9 billion in funding for drinking water treatment upgrades, and an additional \$11.7 billion for other necessary drinking water infrastructure needs. This funding will aid utilities in meeting EPA's proposed drinking water standards and improve drinking water safety.

As state legislators, we are well aware of the prevalent nature of PFAS contamination and the need to curb all pathways of PFAS exposure and sources of pollution. National standards for PFAS in drinking water is an important step for urgently needed action to address PFAS contamination and exposure.

Thank you for your consideration.

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(MN-53B)

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(AL-83)

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(AK-17)

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(AK-4)

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