



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

Mr. Richard Moore, Chair
National Environmental Justice Advisory Council
Los Jardines Institute
803 La Vega Drive, SW
Albuquerque, New Mexico 87105

OCT 18 2019

Dear Mr. Moore:

Thank you for your August 14, 2019 letter regarding the U.S. Environmental Protection Agency's actions related to per- and polyfluoroalkyl substances (PFAS). This is a priority issue for the Agency. The EPA recognizes the challenges states, tribes, and communities are facing with contaminants of emerging concern, like PFAS. The EPA is committed to working with our partners, including the National Environmental Justice Advisory Council (NEJAC) to address these concerns.

The Agency appreciates your recommendations on establishing National Primary Drinking Water Regulations for PFAS chemicals. The EPA is committed to moving forward with the drinking water standard setting process outlined in the Safe Drinking Water Act (SDWA). This process is designed to ensure public participation, transparency, and the use of the best-available peer reviewed science and technical information. By the end of this year, the EPA will propose a regulatory determination for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS)—two of the most ubiquitous and widely studied PFAS compounds. The EPA is also gathering and evaluating information to determine if regulation under the SDWA is appropriate for other chemicals in the PFAS family. Proposing a regulatory determination is the next step in the regulatory process and we encourage you to provide the EPA with information critical to regulatory decision making during this process.

Your letter also highlights the many challenges states and communities face with PFAS and requests the Agency's action to address these issues. The EPA recognizes these challenges and is committed to working with our partners to protect public health and the environment. The EPA has taken the following steps, in cooperation with our federal and state partners, to address PFAS as part of our overall mission to protect human health and the environment:

- The EPA issued drinking water health advisories for PFOA and PFOS.
- The EPA developed and released for public comment draft toxicity values for GenX and perfluorobutane sulfonate (PFBS).
- The EPA added PFOA and PFOS as priority contaminants to the SDWA Contaminant Candidate List for regulatory consideration.
- The EPA collected and analyzed occurrence data for six PFAS in nearly 5,000 Public Water Systems (PWS) under the third Unregulated Contaminant Monitoring Rule.
- The EPA held a PFAS National Leadership Summit and events with communities impacted by PFAS across the country. The EPA also engaged with tribal representatives in Michigan and at the Tribal Lands and Environmental Forum in Spokane, Washington.

- The EPA is developing a proposal for nationwide drinking water monitoring requirements for PFAS under the next Unregulated Contaminant Monitoring Rule (UCMR) monitoring cycle.
- The EPA has already begun the regulatory development process for designating PFOA and PFOS as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances.
- The EPA concluded public comment on the draft Interim Recommendations for Addressing Groundwater Contaminated with PFOA and PFOS and is reviewing public comments.
- The EPA is considering the addition of PFAS chemicals to the Toxics Release Inventory and will be issuing a supplemental proposal to guard against the unreviewed reintroduction and new use, through domestic production or import, of certain PFAS chemicals in the United States.
- The EPA continues to conduct research to rapidly expand the scientific foundation for understanding and managing risks from PFAS.
- The EPA continues to use enforcement tools, when appropriate, to address PFAS exposure in the environment and assist states in enforcement activities.
- The EPA is working collaboratively to develop a risk communication toolbox that will include multi-media materials and messaging guidance for federal, state, tribal, and local partners when engaging with the public.
- The EPA continues to provide technical assistance to states and tribes as needed to help them address local PFAS issues.

Again, thank you for your focused interest on PFAS and I look forward to working with you and all members of the NEJAC to address this challenge. If you have further questions, please contact me or your staff may contact Eric Burneson in the EPA's Office of Ground Water and Drinking Water at Burneson.Eric@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "D. Ross".

David P. Ross
Assistant Administrator