



October 19, 2021

Comment Clerk

Docket ID: [EPA-HQ-ORD-2020-0675](#)

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW

Washington, DC 20460

RE: Availability of the Draft IRIS Toxicological Review of Perfluorobutanoic Acid and Related Compound Ammonium Perfluorobutanoic Acid [Docket ID: EPA-HQ-ORD-2020-0675]

The Association of State Drinking Water Administrators (ASDWA) is the professional association representing the collective interests of the 57 state and territorial drinking water programs serving as the primacy agencies who administer the Safe Drinking Water Act (SDWA). ASDWA's members are co-regulators with EPA for ensuring safe drinking water and continuing to improve public health protection every day.

ASDWA appreciates the opportunity to provide these comments that broadly address state needs and challenges with toxicity assessments and recommend prioritizing and selecting PFHpA and other PFAS for the development of future toxicity assessments in a timely manner. It should be noted, however, that these comments do not necessarily represent the specific views and concerns of individual states or consensus from all states. We encourage EPA to consider individual state's comments, in addition to ASDWA's, to gain further perspective.

Overarching Comments

ASDWA is providing these overarching comments on the value to state drinking program administrators (as co-regulators) of EPA issuing toxicity assessments rather than the science and technical approaches used to develop this draft IRIS toxicological review for PFBA. Multiple state drinking water programs have expressed concerns about the value of developing toxicity assessments versus the value of developing health advisories or regulatory standards for unregulated contaminants such as PFBA and other PFAS that are persistent in humans and in the environment.

Some states strive to collect as much information as quickly as possible about the potential human health impacts of unregulated contaminants such as PFAS. These states also have the authority and ability at the state level, along with the necessary resources to conduct feasibility analyses, technical evaluations, and cost/benefit evaluations; and develop and implement action levels, health advisories, or regulatory standards for these compounds in the absence of a federal health advisory or standard. However, other states do not have the authority, ability, or resources to assess and address these compounds in drinking water without a federal health advisory or standard and are unable to take actions to protect public health and the environment based on EPA toxicity assessments. This leads to variation in state actions across the country to address these compounds that subsequently creates public confusion about what levels are safe in drinking water and what states should be doing to appropriately address the risks.

The PFBA Draft IRIS Toxicological Review Does Not Appear to Be Concerning for Drinking Water

This draft IRIS Toxicological Review of PFBA can be roughly calculated by states to estimate a drinking water toxicological value of 3,700 parts per trillion (ppt) that would be protective of public health. Because PFBA can only be sampled for using EPA Method 533, there is not as much occurrence data available as there is for the other PFAS that states sampled for using EPA Method 537.1. Minnesota is the only state with a human health limit for PFBA set at 7,000 ppt for drinking water. While PFBA was detected in almost 70 percent of the network wells during [Minnesota's ambient groundwater PFAS monitoring](#) in 2013, the highest measured concentration was 1,680 ppt and was linked to a 3M manufacturing facility. This level was well below the 7,000 ppt state limit, and is well below the estimated drinking water value that can be calculated from this draft IRIS toxicological review.

Recommendations for Prioritizing and Selecting PFAS for Future Toxicity Assessments

ASDWA recommends that EPA move forward in a timely manner to develop additional PFAS toxicity assessments beyond PFBS, GenX, and now PFBA. These future toxicity assessments for additional PFAS should be prioritized based on the prevalence of the compounds throughout the U.S., their potential health impacts, current state regulations and guidance for the compounds, and input from stakeholders.

In its Final Regulatory Determinations for CCL4, EPA stated that it is currently developing scientifically rigorous toxicity assessments for seven PFAS (PFBS, PFBA, PFHxS, PFHxA, PFNA, PFDA, and HFPO-DA (GenX), to be completed by 2023. ASDWA questions why EPA prioritized the toxicity assessments for PFBS and GenX to be completed first, why EPA prioritized this IRIS toxicological review of PFBA to be completed before the other four compounds (PFHxS, PFHxA, PFNA, PFDA), and why EPA did not include PFHpA in this list of compounds?

Compared to the other PFAS that EPA is currently developing toxicity assessments for, PFBA should not be at the top of EPA's priority list, and PFHpA should be added to the list. In this regard, EPA should use current state regulations and guidance (as shown in the table below), along with occurrence data from states and the UCMR3, as a guide to prioritize PFAS for the future development of toxicity assessments, and for the development of a toxicity assessment for PFHpA.

Select PFAS Standards and Guidance Values in the U.S. (in ppt)												
Specific PFAS	NHDES MCLs	NJDEP MCLs	VT DEP MCL	MI DHHS MCL	MA DEP MCL	NY DOH MCLs	MN DOH Guid.	CA Response Level	CA Notif. Level	IL EPA HA Guid.	CT DPH Advisory	USEPA LHA
PFOA	12	13	20* combined	8	20* combined	10	35	10	5.1	2	70* combined	70* combined
PFOS	15	14	*	16	*	10	15	40	6.5	14	*	*
PFHxS	18		*	51	*		47			140	*	
PFNA	11	13	*	6	*					21	*	
PFHpA			*		*						*	
PFDA					*							
GenX				370								
PFBS				420			2000	5000	500	2100		
PFBA							7000					
PFHxA				400,000						560,000		

All units are in part-per-trillion (ppt) Chart Date: As of July 28, 2021

- Three states currently have regulations or guidance that include PFHpA in a combined level with other PFAS and one state includes PFDA in its combined level. In addition, five states have lower levels for PFHxS and/or PFNA than for GenX, PFBS, PFBA, or PFHxA, as shown in this table.
- In early 2021, ASDWA conducted a [PFAS Sampling and Detection Survey](#) with its members to better understand which PFAS compounds are (and are not) being found during state-initiated drinking water sampling efforts. Please note that these survey results cannot be extrapolated as nationally or statistically representative for the state or the country because of the varying differences in where and how they were sampled. The following table (extrapolated from the ASDWA survey) shows that the number of PFHpA detections is similar to, or higher than, the other PFAS on EPA's list for developing toxicity assessments.

PFAS	# states with detections	# states that sampled	General observations
HFPO-DA (GenX)	5	12	States had the lowest number of detections for these PFAS.
PFDA	7	11	
PFBS	13	14	These PFAS tend to be co-occurring. Nine states had higher numbers of detections for these PFAS except PFNA.
PFHpA	13	14	
PFHxS	12	13	
PFHxA	12	13	
PFNA	10	14	
PFBA	3	6	Three states had detections of PFBA.

- The [UCMR3 occurrence data summary](#) found more detections of PFHpA than of PFNA, PFHxS, or PFBS for these four PFAS that were sampled for, in addition to PFOA and PFOS, and provides another example of why PFHpA should be prioritized for the development of a toxicity assessment.

Contaminant	Total # results	# Results ≥ MRL	Total # PWSs	# PWSs with results ≥ MRL
PFNA	36,972	19	4,920	14
PFHxS	36,971	207	4,920	55
PFHpA	36,972	236	4,920	86
PFBS	36,972	19	4,920	8

Recommendations for Releasing PFAS Toxicity Assessments, Risk Communication Messages, and Health Effects Information in a Timely Manner

ASDWA recommends that EPA provide health effects information and risk communication messaging in conjunction with, and in addition to, the release of toxicity assessments for PFBA and other PFAS in a timely manner. Guidance for water systems response actions; public notice language; and water use considerations will depend upon this information being provided in advance of the UCMR5 PFAS sampling that will start in 2023. The risk communication messaging should include safety or uncertainty factors in the toxicity values based on human health versus animal health studies and a relative risk comparison to known health issues from other drinking water contaminants.

Thank you for your considering the recommendations provided in this letter that are needed to ensure safe drinking water and public health protection. We welcome your continued engagement with state

drinking water programs in the development of EPA plans for assessing and addressing PFAS that have the potential to cause significant health impacts.

If you have questions or would like to discuss these comments in more detail, please contact Deirdre White at dwhite@asdwa.org or myself at aroberson@asdwa.org or (703) 812-9507.

Sincerely,



J. Alan Roberson, P.E.
Executive Director
Association of State Drinking Water Administrators

Cc: Jennifer McLain, OGWDW
Betsy Behl, OST

