



June 3, 2022

Comment Clerk

Docket ID: EPA-HQ-OW-2022-0365 and EPA-HQ-OW-2022-0366

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW

Washington, DC 20460

**RE: [Draft Recommended Aquatic Life Ambient Water Quality Criteria for PFOA and PFOS](#)  
[Docket ID: EPA-HQ-OW-2022-0365 and EPA-HQ-OW-2022-0366]**

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 coregulators with EPA for ensuring safe drinking water and continuing to improve public health protection every day.

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 appreciates the opportunity to provide these comments that broadly address the use of the Clean Water Act (CWA) ambient water quality criteria (AWQC) for PFOA and PFOS, as just one of many necessary actions to assess and address PFAS. ASDWA supports the development of these draft recommendations for aquatic life AWQC as part of a holistic lifecycle approach that includes close coordination with other Federal agencies to administer all possible Federal statutory regulatory authorities to assess, address, and remove PFAS or prevent PFAS from entering the environment (and drinking water sources). This includes using each regulatory authority to ensure that the responsibility and cost for removing PFAS are not passed on from PFAS manufacturers and users to the receivers of PFAS such as drinking water and wastewater utilities. Protecting drinking water sources from PFAS contamination is essential for sustaining safe drinking water supplies, and protecting public health and the environment.

### ***Additional PFAS Beyond PFOA and PFOS Should be Considered***

ASDWA appreciates the work EPA is undertaking in its PFAS Strategic Roadmap to assess and address PFAS. EPA should continue to take further CWA actions to address PFAS at the source. Regarding this AWQC, ASDWA suggests that EPA develop additional AWQC recommendations for other PFAS compounds as more data, occurrence, and health effects information become available, and as the Agency moves forward with developing National Primary Drinking Water Regulations for PFOA, PFOS, and other PFAS compounds.

***Timely and Additional CWA Actions are Needed to Protect Drinking Water Sources***

ASDWA recommends that EPA finalize these draft recommended AWQC to protect aquatic life and aquatic-dependent wildlife in a timely manner based on sound science and stakeholder input. EPA must also expedite its work to develop human health criteria recommendations for water bodies used as drinking water sources and to develop associated guidance for addressing PFAS in National Pollutant Discharge Elimination System (NPDES) permits. States are waiting for EPA assistance and guidance in these areas, as more states have started to conduct monitoring for PFAS in their surface waters, and more states want to develop their own water quality criteria.

These draft recommended AWQC for PFOA and PFOS for aquatic life are levels of magnitude higher than what is needed to protect drinking water sources. Some states like Oregon and Ohio may base their AWQC for the public water supply use on SDWA MCLs unless more conservative criteria are available for other designated uses. The states of Michigan and Colorado should serve as examples as the Agency develops human health criteria for PFAS based on the assumption that that drinking water utilities should only need to use standard treatment protocols to protect human health from contaminants in drinking water sources.

- The State of Michigan has [conducted monitoring in surface waters and fish and developed human health values](#) of 11 ppt for PFOS and 420 ppt for PFOA in surface waters that are within 3,000 feet of a drinking water intake, a connecting channel, or a Great Lake. Michigan is also in the process of updating its human health values for PFOA and deriving water quality values for PFBS.
- The State of Colorado Colorado's "[Policy for Interpreting the Narrative Water Quality Standards for PFAS](#)" interprets existing narrative standards to ensure that, "waters shall be free from (PFAS) substances toxic to humans, animals, plants, or aquatic life." The translation level of 70 ppt level is based on the 2016 EPA health advisory for PFOA and PFOS, and also includes PFNA (either individually or combined).

Thank you for considering ASDWA's recommendations. If you have questions or would like to discuss these comments in more detail, please contact Deirdre White at [dwhite@asdwa.org](mailto:dwhite@asdwa.org) or Alan Roberson at [aroberson@asdwa.org](mailto:aroberson@asdwa.org) or (703) 812-9507.

Sincerely,



J. Alan Roberson, P.E.  
ASDWA Executive Director

Cc: Radhika Fox – EPA OGWDW  
Jennifer McLain – EPA OGWDW  
Betsy Behl - EPA OST