

Development of the PFAS National Primary Drinking Water Regulation

EPA and State Talking Points related to Science Advisory Board Document Release

Overview

- EPA recently sent four draft documents to the Agency’s Science Advisory Board that will be used to inform the development of a national primary drinking water regulation for certain PFAS.
- Under the Safe Drinking Water Act, EPA has the authority to set enforceable National Primary Drinking Water Regulations (NPDWRs) for drinking water contaminants.
- As outlined in EPA’s PFAS Strategic Roadmap, released in October 2021, the Agency is developing proposed National Primary Drinking Water Regulations for Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonic acid (PFOS). EPA expects to issue a proposed rule in Fall 2022 and a final rule in Fall 2023.
- As EPA undertakes this action, the Agency is also evaluating additional PFAS and considering actions to address groups of PFAS.
- A key milestone in the development of a drinking water regulation is for EPA to provide its most current scientific information and assessment approaches to the independent Science Advisory Board.
- The draft documents that EPA has released for the Science Advisory Board include an evaluation of more than 400 recent scientific studies, new models and approaches, and other information.
- The conclusions in EPA’s draft documents are currently preliminary and it is important for EPA to seek comment from the SAB as part of a peer review process to ensure that the agency is providing the public with the best evaluation of the available information.

Preliminary Findings and Next Steps

- The new data and analyses in EPA’s draft documents indicate that the toxicity values (the levels at which negative health effects could occur, also known as Reference Doses (RfDs)) for PFOA and PFOS are much lower than previously understood – including near zero for certain health effects.
- These analyses suggest lower toxicity values for several health effects, decreased immune response, lower birth weights in children, increased cholesterol.
- EPA is also asking the SAB for their input on new data that suggests that PFOA may be a likely carcinogen. This is a change from EPA’s 2016 assessment in which the Agency concluded that there was “suggestive evidence of carcinogenic potential” of PFOA in humans.
- If EPA determines that PFOA is likely to cause cancer, any potential Maximum Contaminant Level Goal, a non-enforceable health-based goal, would be zero.
- EPA is concerned about the public health implications of these preliminary findings and will move as quickly as possible to issue updated health advisories for PFOA and PFOS that reflect this new science and input from the SAB.
- Concurrently, EPA will continue to develop a proposed PFAS National Drinking Water Regulation for publication in Fall 2022.
- EPA will not be waiting to take action to protect the public from PFAS. The Bipartisan Infrastructure Deal, signed into law by President Biden on November 15th, invests \$10 billion to support efforts to test for and remediate PFAS and other emerging contaminants in drinking water and wastewater, especially in disadvantaged communities.
- As released in the October 2021 PFAS Strategic Roadmap, EPA is working across the agency to take bold actions to research, restrict, and remediate PFAS and to take critical steps to protect the public from the health impacts of PFAS.

The below talking points are for use in conversations with particular stakeholder groups

Details for Communities Affected by PFOA and PFOS

- EPA will be actively discussing with states concerns about PFOA and PFOS in their drinking water and the agency is committed to working with state agencies and drinking water systems on solutions to reduce public health risks.
- EPA and states are partnering to rapidly implement the Bipartisan Infrastructure Deal, signed into law by President Biden on November 15th, which invests more than \$10 billion to support efforts to test for and remediate PFAS and other emerging contaminants in drinking water – especially in disadvantaged communities.
- PFOA and PFOS in drinking water is a significant concern in certain locations. In many locations, states, local governments, and drinking water utilities have taken or are taking proactive steps to monitor and mitigate PFOA/S in drinking water.
- EPA will continue to work closely with impacted federal, state, tribal, and local partners to provide technical assistance as they consider the draft PFOA and PFOS toxicity values.
- EPA will also continue to work with states and others to determine how widespread occurrence of PFAS is, including collecting nationwide drinking water monitoring data as proposed under the UCMR5 monitoring program.

Details for Drinking Water Systems

- EPA is working to understand what levels of PFOA and PFOS found in drinking water are of concern for public health.
- EPA will be actively discussing with states concerns about PFOA and PFOS in their drinking water and the agency is committed to working with state agencies and drinking water systems on solutions to reduce public health risks.
- Water systems should also work with state authorities to determine if they have guidance on what levels of PFOA and PFOS require state actions.
- Public water systems that find PFAS in their drinking water should take steps to inform customers, undertake additional sampling to assess the level, scope and source of contamination, and examine steps to limit exposure.
- There are ways to reduce risks from PFAS, including PFOA and PFOS, in the short and long-term.
- In some cases, drinking water systems may be able to reduce concentrations of PFAS, including PFOA and PFOS, for example, by closing contaminated wells or changing the rates of blending of water sources, where the available quantity of drinking water is not compromised.
- Some public water systems have developed or are developing the capacity to remove PFOA/S from their finished drinking water. Systems can reduce PFAS levels, including PFOA and PFOS, by installing technologies such as granular activated carbon, ion exchange resins, or high-pressure membrane systems (e.g., reverse osmosis). These treatment systems are used by some public water systems today but should be carefully designed and maintained to ensure that they are effective for treating PFAS.
- In addition to certain treatment technologies that are effective at the treatment plant, some point of use devices (e.g., filters) have been demonstrated to reduce some PFAS at the tap.

Details for the Public

- EPA is working to understand what levels of PFOA and PFOS found in drinking water are of concern for public health.
- EPA will be actively discussing with states concerns about PFOA and PFOS in their drinking water and the agency is committed to working with state agencies and drinking water systems on solutions to reduce public health risks.
- Public water systems that find PFAS in their drinking water should take steps to inform customers, undertake additional sampling to assess the level, scope, and source of contamination, and examine steps to limit exposure.
- EPA will not be waiting to take action to protect the public from PFAS. The Bipartisan Infrastructure Deal, signed into law by President Biden on November 15th, invests \$10 billion to support efforts to test for and remediate PFAS and other emerging contaminants in drinking water and wastewater, especially in disadvantaged communities.
- If you are concerned about PFOA and PFOS in your drinking water, EPA recommends you contact your local water utility, or state environmental or health agency, to learn more about your drinking water, and to see whether they have monitoring data for PFOA and PFOS or can provide any specific recommendations for your community.
- If you use water from your own single-family well, EPA recommends learning more about how to protect and maintain your well for all contaminants of concern. For information on private wells visit: www.epa.gov/safewater
- If you are concerned about levels of PFAS found in your drinking water, consider actions that may reduce your exposure including installing a home filter or using an alternative water sources (e.g., bottled water) while steps are being taken to further understand levels of concern and potentially regulate PFAS at the national level.
- To learn more about PFAS and find some of the important background information needed to understand the details of specific actions EPA takes to address PFAS, and other emerging events related to PFAS visit: <https://www.epa.gov/pfas/pfas-explained>.

Additional Questions Addressed During ECOS Briefing

- **If the “likely carcinogen” finding for PFOA is confirmed by the SAB, does that mean that a subsequent EPA PFOA health advisory level would be zero? (During the briefing for ECOS, EPA shared that the MCLG level of a likely carcinogen would be zero.)** Answer: EPA calculates a health advisory level for a carcinogen based on the Cancer Slope Factor (CSF), and would not set the health advisory level at zero. EPA would expect to set the level at a 10⁻⁴ or 10⁻⁶ risk level. EPA’s current next step is to obtain Science Advisory Board peer review of EPA’s draft scientific documents on PFOA/PFOS.
- **Is there a difference in how EPA would treat cancer effects from a compound like PFOA – in the context of setting drinking water regulatory levels or health advisories – if it is a likely carcinogen vs. a confirmed carcinogen?** Answer: For a National Primary Drinking Water Regulation, likely and known human carcinogens are treated the same – the MCLG is set to zero. EPA looks forward to SAB peer review of EPA’s draft scientific documents on PFOA/PFOS, including the draft “likely carcinogen” conclusion with respect to PFOA.