



December 5, 2024

Comment Clerk

ID: EPA-HQ-OPPT-2023-0538-0002

Environmental Protection Agency 1200

Pennsylvania Ave. NW Washington, DC 20460

Delivered Electronically

RE: Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory (TRI) [Docket # EPA-HQ-OPPT-2023-0538-0002](#)

The Association of Clean Water Administrators (ACWA), the Association of State Drinking Water Administrators (ASDWA), the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), and the Environmental Council of the States (ECOS) appreciate the opportunity to comment on the proposed “Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory (TRI).” ACWA, ASDWA, ASTSWMO and ECOS (“the Associations”) are nonpartisan organizations representing state and territorial clean water, drinking water, solid waste management and environmental restoration, and environmental quality agencies and leaders. The Associations’ comments do not necessarily reflect the concerns of individual states.

The Associations generally support the Environmental Protection Agency’s (EPA or the Agency) proposed determinations to add these 16 individually listed per- and polyfluoroalkyl substances (PFAS) and 15 PFAS categories to the TRI list of toxic chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) and section 6607 of the Pollution Prevention Act (PPA). However, we offer the following comments relating to reporting thresholds and the use of databases.

Reporting Thresholds: The Associations recommend that the Agency undertake a consistent approach to determine reporting thresholds for individual PFAS compounds and categories, and that it set lower reporting thresholds for PFAS chemicals of special concern and for PFAS with persistent and bioaccumulative properties. The Associations maintain their view that the [National Defense Authorization Act of 2020 \(NDAA\)](#) 100-pound TRI reporting threshold for PFAS is too high. A hybrid reporting approach should be used for listing individual PFAS (and classes of PFAS) based on specific chemical properties and risks, in addition to the NDAA event that triggers a TRI listing.

Use of HAWC and ECOTOX: The Associations generally support EPA’s efforts to consider and use additional databases, where appropriate, to assist TRI PFAS listing decisions. The Agency’s approach for using the Health Assessment Workspace Collaborative (HAWC) and ECOTOX databases as a basis for listing additional PFAS should consider whether the databases use the same definition for PFAS and ensure consistency for how the Agency is defining PFAS before adding them.

The Associations appreciate EPA's proposed action to add PFAS compounds and categories to the TRI list and its continued efforts to add to our understanding of chemical releases that may threaten human health and the environment. The reported data will enable states and stakeholders to more quickly assess and respond to potential PFAS contamination and will help inform policy and regulatory decision-making for programs that serve to protect human health at the national, state, and local levels.

Thank you for considering our comments. We also urge EPA to carefully consider comments submitted by individual states. Please contact Julia Anastasio, ACWA's Executive Director (janastasio@acwa-us.org), Ben Grumbles, ECOS' Executive Director (bgrumbles@ecos.org), Alan Roberson, ASDWA's Executive Director (aroberson@asdwa.org), and Dania Rodriguez, ASTSWMO's Executive Director (DaniaR@astswmo.org) with any questions about our feedback.

Sincerely,




Julia Anastasio
Executive Director and General Counsel, ACWA



Ben Grumbles
Executive Director, ECOS



Alan Roberson
Executive Director, ASDWA



Dania Rodriguez
Executive Director, ASTSWMO