

Message

From: Tracy Mehan [tmehan@awwa.org]
Sent: 5/30/2018 2:44:00 PM
To: Tracy Mehan [tmehan@awwa.org]
Subject: from Inside EPA

Rural water utilities urge EPA to resist PFAS MCL

May 29, 2018

Rural drinking water suppliers are pushing back against urgent calls by lawmakers, local communities and states for EPA to develop a federal drinking water standard to address perfluorinated chemicals frequently showing up in drinking water systems across the country.

The National Rural Water Association's (NRWA) regulatory committee May 25 unanimously adopted a policy recommendation for NRWA to urge Congress and EPA against adopting an enforceable federal Safe Drinking Water Act maximum contaminant limit (MCL) for per- and polyfluoroalkyl substances (PFAS), fearing local governments will be burdened by fines for non-compliance.

Instead, the regulatory committee's recommendation calls for "alternative federal initiatives" that would assist communities with PFAS contamination, the group says in a May 29 press release. It cites funding that local communities need for treating and monitoring their drinking water supplies.

NRWA represents more than 30,000 water and sewer utilities. NRWA's executive committee on June 30 plans to consider the regulatory committee's recommendation. If the executive committee adopts the advice, it will become the association's policy, and the group will likely send formal comment to EPA and Congress, a spokesman for the group says.

NRWA's emerging position comes as EPA Administrator Scott Pruitt announced May 22 at a much-anticipated national summit on PFAS that the agency will "[take the next step](#)" to evaluate the need for an MCL for the two most common PFAS -- perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) -- although agency officials have said that any MCL [is likely years away](#).

The pushback from rural water utilities also comes amid [a split among states](#) over whether EPA should quickly develop an MCL for PFOA and PFOS. While some states have urged quick issuance, others are concerned that such regulations "could divert resources from other drinking water issues and impose unwarranted costs on water systems," the Environmental Council of States said in a May 21 letter to EPA on the eve of the summit.

But lawmakers, community groups, and some environmental groups and states have for months pressured the agency to quickly develop an MCL for PFOA and PFOS. Without a national standard, states have adopted a patchwork of drinking water and cleanup levels for PFAS.

NRWA in its release urges another path, in part fearing enforcement repercussions on local governments.

It notes in findings on the issue that MCLs are regulatory enforceable levels that may result in fines on local governments, the release says.

Instead, it says, affected communities need "funding for treatment, monitoring assistance, on-site technical assistance for emergency operations, credible public health information, emergency access to safe drinking water and locally supported solutions."

Levying fines on local consumers for MCL violations "is not a helpful solution for small and rural communities" harmed by PFAS contamination, the findings say.

NRWA says EPA should identify what level of PFAS in drinking water is unsafe or acknowledge if such a finding is not possible, it says.

Further, the group notes that local governments lack responsibility for PFAS contamination, but rather "responsible parties should be held accountable for remediation, treatment and providing alternative sources of safe drinking water."

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