

PFAS/U.S. Senate Committee on Environment and Public Works Hearing: American Water Works Association Testimony



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The United States Senate Committee on Environment and Public Works (“Committee”) held a June 9th hearing titled:

PFAS: the View from Affected Citizens and States

G. Tracy Mehan, III, Executive Director, Government Affairs, testified on behalf of the American Water Works Association (“AWWA”).

AWWA describes itself as consisting of 50,000 members representing large and small water utilities, rural and urban, and municipal and investor-owned.

Mr. Mehan notes in his testimony that despite being primarily a drinking water association, about 60 percent of its utility members are dual utilities. In other words, they have a division of drinking water and a division of wastewater.

PFAS consists of a large group of man-made chemicals that include perfluorooctanoic acid, perfluorooctane sulfonate, and GenX chemicals. Their properties include resistance to heat, water, and oil. Further, they have been described as persistent in the environment and resist degradation.

Concern has been expressed by both drinking water suppliers and public owned treatment works (“POTWs”) about the potential cost impacts from PFAS. For example, POTWs may receive discharges that contain PFAS from some commercial and industrial sources.

A further complication might be the fact that conventional POTW wastewater treatment does not effectively remove PFAS that it receives. They may be passed through treatment to waterbodies or interfere with management of solids from the treatment process.

Drinking water utilities have similar concerns about the source they must treat for protection of public health.

Mr. Mehan’s written testimony on behalf of AWWA identifies what it describes as the organization’s “Guiding Principles on PFAS Regulation.”

These principles are stated to include:

- Commitment to public health protection (stating human health impacts from PFAS exposure at levels found in drinking water are uncertain but are a growing health concern meriting serious attention)

- Fidelity to scientific process (supports following the essential Safe Drinking Water Act steps – without undue delay to assure PFAS risks are effectively and efficiently reduced)
- Protection of source water (EPA should use existing laws to understand and control PFAS risks before harmful substances are introduced into commerce)
- Investment in research (supports additional funding for research to assess and address human health effects of exposure to PFAS along with appropriate analytical methods)

Additional points provided by Mr. Mehan:

- Drinking water utilities/state environmental agencies need to know where to focus monitoring resources to understand risks in source waters. (EPA should use existing tools such as the Toxic Substances Control Act because of its data-gathering authority.)
- The Clean Water Act could be utilized to control PFAS. (Such authority could be utilized in developing analytical methods for PFAS in industrial wastewater and appropriate/reliable treatment methods.)
- Concern is expressed about utilizing the Comprehensive Environmental Response, Compensation and Liability Act to designate PFAS as hazardous substances. (Liability for PFAS cleanup should remain with PFAS manufacturers and formulators.)
- Concern is expressed about the potential cost associated with drinking water treatment to remove PFAS. (Drinking water utilities could face increasing fiscal stress and are looking to a Safe Drinking Water Act risk-based approach to ensure each investment provide maximum public health benefit.)
- Research is key in addressing such substances for potential regulation (Noting lack of clear health effects data can hold back regulatory determinations under the Safe Drinking Water Act.)
- Setting achievable expectations (Congress should request and examine technical and economic analysis from career staff at EPA before proceeding with any legislation to regulate PFAS compounds.)

A copy of the written testimony can be downloaded [here](#).