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Draft U.S. Environmental Protection Agency Aquatic Ambient Water Quality Criteria for PFOA and PFOS: Association of State Drinking Water Administrators Comments

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The Association of State Drinking Water Administrators (“ASDWA”) submitted June 3rd comments on the United States Environmental Protection Agency’s (“EPA”):

Draft Recommended Aquatic life Ambient Water Quality Criteria for PFOA and PFOS (“Draft”)

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

ASDWA describes itself as 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.

Water Quality Criteria (“WQC”) are ambient water quality conditions that are deemed protective of the uses established for a waterbody pursuant to the Clean Water Act. States are required by the Clean Water Act to adopt WQC protective of the designated uses. WQC must specify the maximum concentration of pollutants that may be present in the water without impairing its suitability for certain uses.

EPA develops WQC pursuant to Section 304 of the Clean Water Act. They are frequently used by the states in establishing or revising their WQC. However, states are free to adopt or develop their own WQC if there is a scientific basis for doing so. Such state developed WQC are reviewed and approved by EPA.

ASDWA notes by way of introduction in its June 3rd comments that it supports the development of the *Draft*:

... 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 is stated to include using each regulatory authority to ensure that the responsibility and cost for removing PFAS are not transferred from PFAS manufacturers and users to the receivers of PFAS such as drinking water and wastewater utilities.

ASDWA’s comments recommend that EPA:

- Consider additional PFAS beyond PFOA and PFOS

- Move forward with timely and additional Clean Water Act actions to develop human health criteria recommendations for waterbodies used as drinking water sources
- Develop associated guidance for addressing PFAS in National Pollutant Discharge Elimination System permits

The comments also recommend that EPA review the activities of Michigan and Colorado as it develops human health criteria for PFAS.

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