

**Who is ASDWA:** The Association of State Drinking Water Administrators (ASDWA) represents the drinking water program administrators in the 50 states, the five territories, the Navajo Nation, and the District of Columbia. ASDWA’s members regulate and provide technical assistance and funding for the nation’s 150,000 public water systems, and coordinate with multiple partners to ensure safe drinking water. ASDWA works with its PFAS workgroup (comprised of drinking water program representatives from 27 states across the country) and other partners to discuss ASDWA member needs and challenges for assessing and addressing PFAS in drinking water.

**PFAS Background:** The understanding of potential drinking water impacts from PFAS has significantly increased over the past decade. This class of chemicals started to get publicity in 2001-2002 due to water contamination from the Washington Works Plant in West Virginia. In 2006, DuPont and other manufacturers agreed to principally phase out production of PFOA and PFOS.

**Third Unregulated Contaminant Monitoring Rule (UCMR3):** Due to escalating concerns, six PFAS compounds (see table below) were included in EPA’s final UCMR3. UCMR3 monitoring occurred between January 2013 and December 2015 and included two to four quarterly samples at mostly large water systems throughout the country using EPA Method 537.

**EPA’s 2009 Provisional and 2016 Revised Health Advisories (HAs):** In 2009, EPA established provisional health advisories (HAs) for PFOA at 400 parts per trillion (ppt) and for PFOS at 200 ppt; those two numbers were the benchmark at that time, even though an EPA health effects review was underway. Due to what appeared to be relatively low national occurrence for UCMR3, EPA released revised HAs for individual and combined PFOA and PFOS levels of 70 ppt in May 2016. This numerical reduction significantly increased the number of water systems impacted.

**More PFAS Contamination Sites are Being Found:** The number of PFAS contaminated sites continues to grow. Over the past decade, PFAS contamination was found in many more locations than where the UCMR3 required water systems to conduct monitoring. Contamination has now expanded to include military bases, fire-fighting foam application sites, storage and disposal sites, manufacturing sites of fire-retardant materials, landfills, and some that are caused by air deposition.

UCMR3 PFAS	2009 EPA HAs	2016 Revised HAs
PFOA	400 ppt	70 ppt (individual and combined sum of PFOA and PFOS)
PFOS	200 ppt	
PFNA	No EPA HAs	No EPA HAs
PFHxS		
PFHpA		
PFBS		

**The Number of PFAS Being Manufactured Continues to Grow:** Since the phase-out of PFOA and PFOS, companies have shifted to “short-chain” PFAS such as GenX and ADONA, which are now creating a host of data collection and analysis issues, as regulators and researchers are struggling to obtain enough robust health effects, analytical methods, and treatment data to make smart decisions.

### ASDWA Recommendations to EPA for CCL5 and UCMR5

ASDWA provided recommendations to EPA that PFAS (as a group) be included in the final Fifth Contaminant Candidate List (CCL5). In this letter, ASDWA stated that there are literally thousands of potential drinking water contaminants in this group and adding them one by one is not going to be constructive for the long-term.

In July 2018, ASDWA provided informal input to EPA recommending the inclusion of more PFAS compounds in the final UCMR5 using the updated PFAS EPA Method 537.1 when it became available.

**State Regulatory and Oversight Challenges:** States are having to make tough decisions about whether or how to implement Toxicity Assessments and HAs and address PFAS in drinking water without federal standards. The table below shows the states that have established PFAS standards or guidelines that are lower or different than EPA’s HAs. These numbers show the variation in health risk goals and risk reductions among states in the absence of federal Maximum Contaminant Levels (MCLs) and are creating public confusion about what levels of PFAS are safe in drinking water.

**ASDWA Comments on EPA Health Advisories and Toxicity Assessments:** In January 2019, [ASDWA Submitted Comments on EPA’s Draft Toxicity Assessments for GenX and PFBS](#) summarizing state and drinking water utility challenges with EPA issuing HAs and toxicity values versus a regulation under the Safe Drinking Water Act (SDWA) establishing an MCL including:

- EPA toxicity values and HAs create “de-facto” MCLs
- State drinking water programs are having to divert attention and resources from core programs
- Without preliminary guidance, states and water systems can’t prepare in advance for high PFAS levels
- The Department of Defense (DoD) will not act to modify new or existing cleanup activities for PFAS

State	Drinking Water Action	Compound	Level (ppt)
California	<a href="#">Response Levels</a>	PFOA	10
		PFOS	40
Connecticut	<a href="#">Action Level</a>	Sum of PFOA, PFOS, PFNA, PFHxS, PFHpA	70
Massachusetts	<a href="#">Adopted Regulation 9/16/20</a>	Sum of PFOA, PFOS, PFNA, PFHxS, PFHpA, PFDA	20
Michigan	<a href="#">Adopted Regulation 8/3/20</a>	PFOA	8
		PFOS	16
		PFNA	6
		PFHxS	51
		PFBS	420
		PFHxA GenX	400,000 370
Minnesota	<a href="#">Health Based Guidance Surrogate of PFOS HBV</a>	PFOA PFOS PFHxS	35 27 27
New Hampshire	<a href="#">Adopted Regulation 10/1/19</a>	PFOA	12
		PFOS	15
		PFHxS	18
		PFNA	11
New Jersey	<a href="#">Adopted Regulation 6/1/20</a>	PFNA	13
		PFOA	14
		PFOS	13
New York	<a href="#">Adopted Regulation 7/30/20</a>	PFOA PFOS	10 10
North Carolina	<a href="#">Health Advisory</a>	GenX	140
Vermont	<a href="#">Health Advisory</a>	Sum of PFOA and PFOS	20

**Overarching ASDWA Recommendations to EPA:** ASDWA recommendations to EPA have continued to emphasize the need to: develop a federal inter-agency committee and unified risk messaging; directly engage with states and stakeholders; conduct more research and increase funding and support; develop rules or guidance for other; and address laboratory and sampling needs.

For more information about ASDWA’s activities, visit the ASDWA website or contact Deirdre White of ASDWA at [dwhite@asdwa.org](mailto:dwhite@asdwa.org).