

May 12, 2021

Radhika Fox
Acting Assistant Administrator, Office of Water
U.S. Environmental Protection Agency
EPA Docket Center
Mail Code 28221T
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Washington, D.C. 20460

Re: Comments on Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems and Announcement of Public Meeting; Docket ID No. EPA-HQ-OW-2020-0530; 86 FR 13846

Dear Acting Assistant Administrator Fox:

We, the undersigned organizations representing a coalition of companies and trade associations from across the economy, appreciate the opportunity to provide comments on the proposed revisions to the Unregulated Contaminants Monitoring Rule for Public Water Systems. We support gathering additional scientifically valid data on the national occurrence of select PFAS in drinking water. Our customers, employees, and communities depend on clean water for a better quality of life and economic growth. This information is a critical input in determining whether and how EPA should regulate particular contaminants for treatment.

In March 2021, our coalition offered a [cover letter](#) and suggested [principles](#) for the potential regulation of PFAS. These principles offer a possible roadmap for addressing PFAS consistent with sound science and recognizing the important economic, technological, and public safety roles that specific PFAS fill. We urge EPA to consider the following as the monitoring rule is finalized:

- **Reexamine the list of impacted chemistries.** All 29 PFAS chemistries that can be detected by Method 533/537 are included. However, only nine have any documented human health concerns or EPA Integrated Risk Information System assessments in progress. The rest have no EPA health assessments or occurrence data in public water systems to justify analysis and sampling.

The objective of the UCMR rule is to collect representative data for potential contaminants that require regulation under the Safe Drinking Water Act to protect human health. The purpose of the UCMR is to gather finished water occurrence data. It is not intended to compel the level of investigation needed to properly characterize PFAS water sources. If there are no health assessments available and no concerns identified yet for a given PFAS chemistry, more health data should be understood before conducting sampling and obtaining occurrence data. EPA should reconsider this list to be grounded in science.

- **Identify risks to the environment and human health of each PFAS chemistries, including chemistries of low concern.** For example, because they are insoluble in water, not subject to long-range transport, and not bioavailable or bio-accumulative, Fluoropolymers are a PFAS that satisfy widely accepted assessment criteria to be considered as polymers of low concern.
- **Develop any subclasses not based on physical and chemical properties alone,** but also on toxicological endpoints and potency and mode of action. All PFAS are not the same. Individual chemistries have unique properties and uses, as well as environmental and health profiles. Grouping by methods should replace this kind of analysis.
- **Prioritize the development of validated analytical methods for additional PFAS in drinking water in advance of finalizing the UCMR.** Despite the limitations of the analytical techniques used for UCMR 3, more recent sampling by several states confirm low levels of PFAS in public drinking water since the UCMR3 analysis. Further understanding of the distribution, or lack thereof, of these compounds in the environment is critical in building public trust regarding the responsible use of PFAS, which have become critical to modern society. For example, the ANPRM specifies 29 PFAS for analysis under UCMR-5 using validated methods (533 and 537.1). Under the NDAA for fiscal year 2020, EPA has identified 175 PFAS for reporting under the toxics release inventory. Additionally, EPA has information through the Toxic Substance Control Act of additional PFAS compounds in commerce. EPA should focus resources on developing validated analytical methods for detecting these compounds in drinking water for this and future monitoring efforts.
- **Highlight that the frequency of occurrence or bioaccumulation does not necessarily equate to risks to human health.**
- **Provide a clear statement of how results will be used to establish data quality objectives and outcomes.** The difficulty for water systems arises (as it did for UCMR 3) when we have no clear understanding of (1) how important the specific compound is to society, (2) its economic impact, and (3) what the risk of each compound may be.
- **Offer training** to the expanded number of water system and technical staff operators that are required to meet the UCMR requirements as stated in the America's Water Infrastructure Act of 2018.
- **Follow through on funding and technical assistance** for water systems, laboratories, and communities to fulfill these monitoring requirements.
- **Support the proposal not requiring testing for total organic fluorine.**

The business community agrees with your approach to align water monitoring data collection to assess how and whether disadvantaged communities are unduly impacted by unregulated contaminants. Such information remains essential to ensuring that federal interventions are prioritized appropriately.

We stand ready to assist you and public and private water systems across the U.S. as this proposal moves forward.

Sincerely,

American Chemistry Council
American Forest & Paper Association
Council of Industrial Boiler Owners
Flexible Packaging Association
National Association of Chemical Distributors
National Association of Printing Ink Manufacturers
National Association for Surface Finishing
National Council of Textile Organizations
National Oilseed Processors Association
Plastics Industry Association
U.S. Chamber of Commerce