

and address the universe of known and unknown PFAS compounds that are being used and evaluate fire-fighting foam alternatives.

They also ask EPA and CDC to “consider bias and error in analytical methods and develop additional analytical methods for drinking water and other media, develop standards for branched and linear isomers, coordinate with lab vendors, develop guidance for standardization of lab results for PFAS analytes (i.e., acid form and/or different salt forms), and increase lab programs and capacity beyond UCMR3.”

An EPA intra-office work group, comprised of representatives from the Office of Land & Emergency Management, Office of Research & Development and Region 3 representing regional labs, has been working on developing multi-lab validated methods for analyzing sample types other than drinking water and developing more validated test methods to address a wider array of PFAS. — *Lara Beaven*

## Interagency Group On PFAS Could Aid In States' Call For Unified Approach

A White House-sponsored interagency group that has been meeting since last March could potentially provide the unified federal approach on the risks posed by per- and polyfluoroalkyl substances (PFAS), a class of emerging contaminants, that state drinking water regulators are seeking, says an official with a group that represents the regulators.

But in an interview with *Inside EPA*, the official suggested that federal officials also should invite states to attend an upcoming interagency meeting to provide their perspective on the issue.

The interagency group, which includes EPA, the National Institutes of Health (NIH) and other federal agencies, is planning to convene in February at a meeting titled “Federal Information Exchange on PFAS,” according to a Jan. 10 letter from the director of the federal Agency for Toxic Substances & Disease Registry (ATSDR) to Robert Bilott, an attorney who represents plaintiffs harmed by PFAS and has long pushed EPA to address the threat of drinking water contaminated with the substances. *The letter is available on InsideEPA.com. (Doc. ID: 208639)*

According to the letter, the meeting is sponsored by the Toxics and Risks Subcommittee of the White House’s National Science and Technology Council Committee on Environment, Natural Resources and Sustainability, which is co-chaired by EPA, NIH and the Defense Department.

Agency representatives at the meeting “will share emerging impactful data and improve understanding of the science behind decision-making regarding PFAS,” the letter says. “This meeting aims to establish a foundation of common knowledge across federal agencies, and to facilitate future information-sharing across federal agencies,” it says.

Signed by Patrick Breysse, director of ATSDR and the National Center for Environmental Health, the letter responds to Bilott’s threats, raised in previous correspondence, to sue the agencies under the federal Superfund law to advance a nationwide PFAS health study and testing.

PFAS comprise a class of chemicals emerging as a major contamination concern due to its presence in drinking water systems. The chemicals have widely been used in non-stick cookware, fire-fighting foam, waterproof rain gear and in other applications. Perfluorooctanoic acid (PFOA), in particular, has been linked to adverse health effects, including several types of cancer.

While EPA in 2016 set health advisory levels for two PFAS — PFOA and perfluorooctane sulfonate (PFOS) — at 70 parts per trillion, the agency stopped short of setting an enforceable drinking water standard and provided limited guidance to states and public water systems on how to use the advisory levels.

Instead, the agency is leaving it up to states to shoulder the responsibility for what may become a patchwork of standards even as public pressure to address the issue grows.

But states recently pushed for more clarity and uniformity from EPA and other federal agencies, with the Association of State Drinking Water Administrators (ASDWA) asking EPA and the Centers for Disease Control and Prevention (CDC) to address a number of concerns related to PFAS.

Among the suggestions, ASDWA asks federal agencies to form a working committee with states to address a list of recommendations covering all aspects of drinking water programs. As a second step, it also calls on the federal government to develop a unified message on PFAS.

The interagency group referenced in the letter to Bilott could possibly provide a unified voice from the federal government on appropriate risk levels and risk management, an official with ASDWA says, when asked about the interagency group.

The source adds that bringing in state regulatory associations for a short time at the end of the February meeting, for instance, would fill in “the part missing.”

ASDWA in its Jan. 12 letter to EPA and CDC raises concerns over differing state interpretations of EPA’s health advisories for PFOA and PFOS, noting the advisories are unclear on what actions public water systems should take to protect susceptible populations. Further, state drinking water programs have had to determine alone how to handle both

the advisories and occurrence data from the Safe Drinking Water Act Third Unregulated Contaminant Monitoring Rule.

“The result has been some confusion on appropriate actions and a lack of consistent responses from state to state,” ASDWA says. “As the number of PFAS compounds and PFAS contaminated sites continues to grow, so will the complexity and urgency of this problem,” it says.

**Bilott says the response from Breyse does not satisfy the concerns** he earlier raised over the need for federal health agencies to conduct PFAS studies. He did not elaborate.

Bilott in September letters had pressed EPA and ATSDR for a national study of health impacts from PFAS. He warned that the agency’s continuing failure to conduct a study would provide a basis for national class action litigation. And in December, he wrote to federal health agencies asking whether, given defense authorization legislation authorizing a PFAS study, the agencies now plan to move forward with studies of health impacts from PFAS or whether he will be forced to sue them to conduct the study.

Breyse’s Jan. 10 letter says that the authorizing language signed into law as part of the fiscal year 2018 defense bill to allow CDC and ATSDR to further address PFAS contamination “is great progress for confronting PFAS contamination concerns,” but notes that they have yet to receive any appropriations language or funding to trigger the study.

“In the meantime, we have begun internal discussions about implementation of the new law and are assessing the most appropriate and effective designs for a national study,” he says.

Breyse also gives Bilott an update of an ongoing study examining the blood serum of firefighters for PFAS. Bilott previously asked whether the defense act-mandated study will include testing of firefighters and emergency responders, who may have been exposed through firefighting foams that contained PFAS or through gear.

ATSDR is also updating its toxicological profile for perfluoroalkyls, Breyse says. After internal review, the revised toxicological profile will be released for public comment, he adds.

And the industry group American Chemistry Council announced Jan. 18 in a “SmartBrief” on its website that it plans to form a PFOA/PFOS panel within its Chemical Products and Technology Division in order to “actively engage in regulatory advocacy” on the two chemicals at both federal and state levels. The aim also is to “promote sound science regarding potential exposures and toxicity of PFOS and PFOA, among other activities.” — *Suzanne Yohannan*

## Congress

### House Lawmakers Weigh Superfund Fixes, Possible New State Authorities

House Republicans on the Energy & Commerce environment subcommittee are signaling interest in considering legislation to address frustrations over the slow pace of Superfund cleanups, including weighing potentially new authorities for states.

States are suggesting modernizing the Superfund program in part through updates to the Superfund law’s National Contingency Plan (NCP) — the regulatory blueprint for cleanups — that would allow some sites to follow a streamlined process. The Association of State & Territorial Solid Waste Managers (ASTSWMO) is advocating for managing sites with potentially responsible parties (PRPs) that are able to fund cleanups under a new process while requiring EPA-led sites to continue to follow the more detailed process under the NCP.

Representatives from states, EPA, environmental and consulting groups discussed possible options for modernizing the Superfund program at a Jan. 18 hearing held by the House Energy & Commerce environment subcommittee.

Rep. John Shimkus (R-IL), chairman of the subcommittee, told reporters afterward that there is a lot of frustration from members over Superfund — with members highlighting at the hearing the decades-long pace of some cleanups. He noted that for the first time an EPA administrator has made Superfund a huge priority, which he said has raised the debate and profile nationally.

“We applaud Administrator [Scott] Pruitt for making Superfund cleanups a priority because he correctly noted that cleanups take too long to start and too long to complete,” Shimkus said in his opening statement. He called for assessing whether states should have a greater role in Superfund cleanups and noted the current program has “a lot of process.” He called for considering whether that process works and “whether it encourages or impedes cleanups.”

In speaking to reporters, he said congressional staff “hopefully” can find agreement on both sites. “So the question is are there things legislatively that we could eventually agree upon. Now would that be a huge rewrite or are there rifleshoots, I mean state partnerships, early action,” or other authorizations? Shimkus said. “That’s why you have hearings, [it] is to flesh out these questions.”

Later, when asked about possibilities for statutory changes, he referenced the idea of authorizing “early money” to