United States Senate
WASHINGTON, DC 20510

February 1, 2019

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Acting Administrator Wheeler:

We write to you regarding recent media reports citing that the Environmental Protection Agency (EPA) does not intend to establish enforceable drinking water standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as part of the agency's national management plan for this class of chemicals. If this is accurate, EPA's inaction would be a major setback to states and affected communities. Therefore, we urge you to develop enforceable federal drinking water standards for PFOA and PFOS as well as institute immediate actions to protect the public from contamination from additional per- and polyfluoroalkyl substances (PFAS).

As you are aware, PFAS chemicals have emerged as a widespread contaminant in drinking water sources in several communities across the nation. While the risks associated with PFAS exposure are still being uncovered, studies have linked these unregulated emerging contaminants to a number of adverse health effects. On May 19, 2016, the EPA established lifetime health advisory levels for PFOA and PFOS. These health advisories, however, are non-enforceable and deprive states of much-needed federal guidance on how to determine and implement effective drinking water standards for PFOA and PFOS chemicals.

In the absence of federal standards, states have been forced to create their own drinking water regulations for PFAS. This uncoordinated process has led to a patchwork of conflicting drinking water standards and guidelines in nine states with widely varying maximum contaminant levels. Moreover, the varying levels of standards have caused confusion among regulated entities and affected communities who wonder if their regulations are sufficient.

Federal safe drinking water standards are critical to addressing public concerns and allow for states to focus their efforts and limited resources on implementation and compliance assurance. Without enforceable drinking water standards for PFOA and PFOS, it is doubtful that a national management strategy will sufficiently confront the challenges PFAS chemicals pose to states and affected communities. This decision would also fail to consider ongoing interagency efforts to determine the human health implications of contamination from PFAS, including the nationwide study being conducted by the Agency for Toxic Substances and Disease Registry (ATSDR).[1] We urge you to ensure that EPA's National PFAS Management Plan includes a commitment to

[1] The National Defense Authorization Acts for 2018 and 2019 authorized a transfer of funds from the Department of Defense to ATSDR to study PFAS exposure and related human health outcomes. This includes exposure assessments, community engagement, a health study at Pease International Tradeport in New Hampshire and a national multi-site health study.

develop federal drinking water standards for PFOA and PFOS, pursuant to the Safe Drinking Water Act. We also request that EPA provide briefings to our offices on the agency's efforts on this issue, as well as regular updates on the progress of those efforts.

Safe drinking water is essential to the health and well-being of every American. And while our nation's water quality is among the highest in the world, we now face a serious challenge: aggressively addressing the health and environmental threats connected with PFAS. We believe it is imperative that the EPA show leadership and help protect American families from these harmful materials. We thank you for your attention to this important matter and look forward to your timely response.

Sincerely,

JEANNE SHAHEEN
United States Senator

SHELLEY MOORE CAPITO
United States Senator

MARGARET WOOD HASSAN
United States Senator

DEBBIE STABENOW
United States Senator

THOMAS R. CARPER
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