



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 15 2019

OFFICE OF WATER

Mr. William A. Norris
Chairman
Cape Fear Public Utility Authority
235 Government Center Drive
Wilmington, North Carolina 28403

Dear Chairman Norris:

Thank you for your letter of January 31, 2019, regarding Per- and Polyfluoroalkyl Substances (PFAS). The U.S. Environmental Protection Agency (EPA) shares your concern for communities across the United States that continue to deal with these substances. The PFAS issue is a priority for the EPA and we are working cooperatively with our federal and state partners to address PFAS-related issues in order to protect human health and the environment.

On February 14, 2019, the EPA announced the first-ever PFAS Action Plan, available at: <https://epa.gov/pfas>. This historic plan responds to extensive public interest and input the EPA has received, including at the agency's May 2018 National Leadership Summit and subsequent visits to a number of states across the nation, at which the agency heard directly from the public about PFAS issues in their communities. The Action Plan represents the first time the EPA has built a national, multi-media, multi-program, research, management, and risk communication plan to address an emerging chemical of concern like PFAS. The Action Plan identifies both short-term solutions for addressing PFAS chemicals and long-term strategies that will help provide the tools and technologies states, tribes, and local communities need to clean up sites and provide clean and safe drinking water to their residents. Major actions described in the Action Plan are highlighted below.

Drinking Water: The EPA intends to establish a maximum contaminant level (MCL) for PFOA and PFOS—two of the most well-known and prevalent PFAS chemicals. To do so, the EPA is committed to following the MCL rulemaking process as established by the Safe Drinking Water Act (SDWA)—a process that is designed to ensure public participation, transparency, and the use of the best available science and other technical information. By the end of this year, the EPA will propose a regulatory determination, which is the next step in the Safe Drinking Water Act process for establishing an MCL. The EPA is also gathering and evaluating information to determine if a SDWA regulation is appropriate for a broader class of PFAS.

Cleanup: The EPA has already begun the regulatory development process for listing PFOA and PFOS as hazardous substances and will issue interim groundwater cleanup recommendations for sites contaminated with PFOA and PFOS. This important work will provide additional tools to help states and communities address existing contamination and enhance the ability to hold responsible parties accountable.

Enforcement: The EPA will continue its ongoing enforcement actions, create tools to address PFAS exposure in the environment, and assist states in enforcement activities. Where the EPA finds that there may be an imminent and substantial endangerment to public health related to PFAS contamination, the agency will consider using its response authority under CERCLA section 104 or utilizing its enforcement authorities such as the SDWA section 1431 or RCRA section 7003.

Monitoring: The EPA will propose to include PFAS in the next round of nationwide drinking water monitoring under the Unregulated Contaminant Monitoring Program. This will improve the EPA's understanding of the frequency and concentration of PFAS occurrence in drinking water. This additional monitoring will utilize newer methods that will detect more PFAS chemicals and at lower levels. The EPA will also consider PFAS chemicals for listing in the Toxics Release Inventory to help the agency identify where these chemicals are being released.

Research: Through additional research, the EPA will rapidly expand the scientific foundation for understanding and managing risk from PFAS. The EPA will develop new analytical methods so that more PFAS chemicals can be detected in drinking water, in soil, and in groundwater. These efforts will improve our ability to monitor and assess potential risks. The EPA's research efforts also include developing new technologies and treatment options to remove PFAS from drinking water and at contaminated sites.

Risk Communications: The EPA will work across the agency—and the federal government—to develop a PFAS risk communication toolbox that includes materials that states, tribes, and local partners can use to effectively communicate with the public.

The PFAS Action Plan will help the EPA and its partners identify and better understand PFAS contaminants generally, clean up current PFAS contamination, prevent future contamination, and effectively communicate risk with the public. To implement the Action Plan, the EPA will continue to work in close coordination with multiple entities, including other federal agencies, states, tribes, local governments, water utilities, the regulated community, and the public.

Again, thank you for your letter and for your focused interest on PFAS. The EPA looks forward to working with you to address this challenge. If you have further questions, please contact me or your staff may contact Matt Klasen in the EPA's Office of Congressional and Intergovernmental Relations at klasen.matthew@epa.gov or (202) 566-0780.

Sincerely,



David P. Ross
Assistant Administrator