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PFAS/Toxic Substances Control Act Reporting/Recordkeeping Requirements: Three Water/Wastewater Trade Associations Submit Joint Comments to U.S. Environmental Protection Agency

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Three water/wastewater trade associations submitted joint September 24th comments to the United States Environmental Protection Agency ("EPA") addressing the proposed reporting and recordkeeping rule for per- and polyfluoroalkyl substances ("PFAS") under Section 8(a)(7) of the Toxic Substances Control Act ("TSCA").

See Docket I.D.: EPA-HQ-OPPT-2020-0549.

The joint comments were submitted by the following:

- American Water Works Association
- Association of Metropolitan Water Agencies
- National Association of Clean Water Agencies (collectively "AWWA")

AWWA notes by way of summary its belief that the proposed rule:

... will broaden the universe of knowledge of PFAS discharged into the environment and will further aide efforts to mitigate PFAS in our environment.

PFAS have been used in various industrial applications in consumer products such as:

- Fabrics for furniture
- Paper packaging for food and other materials resistant to water, grease or stains
- Firefighting at airfields
- Utilization in several industrial processes

They have been described as persistent in the environment and resist degradation.

Both water and wastewater utilities have expressed concern about the impact of PFAS on their facilities. For example, water utilities have noted the issues that may arise in its disposal of residuals containing PFAS.

As to wastewater utilities, they have noted the issues that can arise from the receipt and treatment of wastewater containing PFAS compounds from a range of sources. Similarly, the potential impact on biosolids generated from a wastewater treatment plant and its potential use as fertilizer has been a subject of interest.

AWWA emphasizes these issues in the introduction of its September 24th comments, stating that:

. . . Due to cumulative, unmonitored and unmitigated industrial and domestic use of PFAS, these chemicals present a risk management and communication challenge for communities across the nation. . . The protection of drinking water supplies and water quality of our Nation's waters from PFAS contamination requires not only a cohesive risk management strategy but adequate data collection efforts to support risk evaluations.

The topics addressed in AWWA's comments include:

- Rule Implementation Timeline and Public Access to Data
- Regulatory definition of PFAS
- Including articles containing PFAS
- Environmental and human health effects studies
- Expanding disposal method reporting detail
- Data collection on byproducts and mixtures of chemicals

A copy of the September 24th comments can be downloaded [here](#).