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Reducing Risk from PFOA and PFOS in Biosolids: Little Rock Water Reclamation Authority Comments Addressing U.S. EPA Draft Guidance

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The Little Rock Water Reclamation Authority ("LRWRA") submitted October 5th comments on a document the United States Environmental Protection Agency ("EPA") published on June 29th titled:

Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids ("Draft Guidance").

EPA stated in issuing the Draft Guidance that if finalized, it would provide:

- Recommendations that may be helpful to operators of wastewater treatment plants and related facilities, landowners and farmers, State and Tribal water agencies, and the public.
- Voluntary recommendations for potential ways to reduce potential risks posed by perfluorooctanoic acid ("PFOA") and perfluorooctane sulfonic acid ("PFOS") involving land application of biosolids.

The Draft Guidance addressed the Draft Risk Assessment that had been issued by EPA on January 14, 2025, by the Biden Administration. The Draft Guidance argues that EPA has since determined that the Draft Risk Assessment exhibited a number of flaws that caused confusion among the public and the regulated community.

EPA sought comments on the Draft Guidance for 60 days following its publication in the July 6th Federal Register. See 91 Fed. Reg. 41020.

The Draft Guidance states in regard to the Biden era Draft Risk Assessment that:

... After careful review of the comments provided by stakeholders, the EPA has determined that the Draft Risk Assessment exhibited a number of serious flaws that have caused confusion among the public and the regulated community. This confusion has resulted in a lack of clarity in how the public should consider and potentially apply the preliminary findings of the Draft Risk Assessment in their daily lives, or put another way, in how to determine what the findings of the Draft Risk Assessment might mean for them.

The October 5th LRWRA comments are authored by Chief Operating Officer, J. Ryan Benefield, P.E.

The comments note by way of introduction that LRWRA provides wastewater treatment services for the City of Little Rock and surrounding communities through three wastewater treatment facilities. Further, it has managed for 45 years up to 6,700 dry tons of biosolids annually through a comprehensive program that is stated to:

- Serve the community.
- Support local agricultural partners.

The majority of the LRWRA biosolids are stated to be beneficially reused as Class A Exceptional Quality (EQ) biosolids.

LRWRA notes EPA's recognition that:

- Municipal wastewater utilities are passive receivers of PFAS which enter wastewater systems from households, businesses, industries, and consumer products that are largely outside the control of wastewater treatment utilities.
- Land application remains an important and sustainable biosolids management option.

LRWRA's comments indicate that the utility is supportive of EPA's efforts to provide practical guidance for reducing PFAS risks. However, it argues several aspects of the Draft Guidance should be strengthened to better reflect real-world biosolids management practices and the operational realities facing wastewater utilities.

Key requests submitted by LRWRA in the comments address:

- Recognition of Data Limitations and Real-World Conditions.
- Clarification That the 1 ppb Modeling Assumption Is Not a Regulatory Threshold.
- Support for Source Reduction and Tiered Management Frameworks.
- Best Management Practices Should Be Practical and Implementable.
- EPA Must Recognize That All Biosolids Are Not the Same.
- Disposal and Incineration Alternatives Require Greater Consideration.
- PFAS Risk Reduction Must Focus on Sources.
- EPA Should Revisit the Draft Risk Assessment Framework.

A copy of the LRWRA comments can be found [here](#).