



ECOS Event Summary:
U.S. EPA Per- and Poly-fluoroalkyl Substances
(PFAS) National Leadership Summit
May 22-23, 2018

Summary: The PFAS summit assembled roughly [200 representatives](#) from state, local, and federal government, as well as citizen, industry, and environmental groups. EPA Administrator Scott Pruitt kicked off the summit by announcing this [four-step action plan](#):

1. “EPA will initiate steps to evaluate the need for a maximum contaminant level (MCL) for PFOA and PFOS. We will convene our federal partners and examine everything we know about PFOA and PFOS in drinking water.
2. EPA is beginning the necessary steps to propose designating PFOA and PFOS as ‘hazardous substances’ through one of the available statutory mechanisms, including potentially CERCLA Section 102.
3. EPA is currently developing groundwater cleanup recommendations for PFOA and PFOS at contaminated sites and will complete this task by fall of this year.
4. EPA is taking action in close collaboration with our federal and state partners to develop toxicity values for GenX and PFBS.”

He also announced that EPA will be holding regional meetings this summer to hear from states, tribes, and communities. EPA will use this and other information to develop a PFAS Management Plan for release later this year. The rest of the summit gave participants the chance to describe their challenges, experiences, and needs to EPA and to each other. The most common messages were:

- Federal regulators need to coordinate their work to understand and communicate PFAS toxicity. Uncoordinated rollout creates problems for everyone.
- All regulators need to work to improve our capacity for analyzing PFAS in the environment. We need to expand the list of approved analytical methods, increase the capacity of laboratories to do those analyses, and look for screening techniques that will allow us to prioritize more in-depth sampling and analysis.
- There are many PFAS sources and exposure pathways, so regulators need to address PFAS as a cross-program, cross-media problem.
- Experience has shown that communicating well with the public requires transparency, consistent messaging, and involvement of local authorities. It’s best to be honest about the scientific uncertainty and the lack of easy solutions. ASTHO, ATSDR, and ECOS/ITRC all provide good materials for risk communication.
- Participants requested more federal “regulatory backing” to support increased sampling and monitoring. Regulatory backing would include things like hazardous substance determinations under the Clean Water Act and CERCLA and/or an MCL.
- We need more funding to support expanded monitoring and interventions.

- Cooperative federalism demands that federal agencies involve the states when considering guidelines, guiding site cleanup, creating consistent analytical methods and treatments, and informing actions to address sources.
 - States need interim guidance and solutions to our problems as federal regulators work on longer-term scientific and regulatory solutions.
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Notes from Day 1 (Open to All Attendees)

Day 1 began with four presentations, [which you can watch here](#). The first one, described above, was from **Administrator Pruitt**.

Craig Butler (Ohio EPA) spoke on behalf of the states and ECOS to describe the states' requests of EPA. His remarks tracked ECOS' [letter](#) to EPA.

Jessica Bowman (American Chemistry Council) described the industry's efforts to improve manufacturing processes and stewardship efforts, and stated that newer short-chain PFAS products are safer than legacy long-chain materials due to stricter testing requirements and regulatory standards. She emphasized that not all PFAS compounds are the same, and we should regulate them with care and specificity.

Jeff Morris (EPA's Office of Pollution Prevention and Toxics) identified TSCA as a source of authority to regulate PFAS. Nearly 900 new PFAS chemicals have entered the TSCA program since 2006, each requiring EPA review under tight timeframes.

EPA organized the rest of day one around three themed sessions that began with presentations by panelists. [Their presentation materials are posted here](#). EPA then gave audience members time to ask the panelists questions, and used digital collaboration software to collect and display brief audience responses to broadly worded questions. The comments ranged very widely, and this memo attempts to summarize them above.

Session 1: "Identifying PFAS in Your Community"

Alexandra Dunn (EPA Region 1) emphasized the need to rely on communities as well as history to identify contaminated sites. Dunn listed next step priorities including making regulatory determinations and identifying location-specific solutions (e.g. treat contamination vs. remove exposure vs. mitigate risks).

Maureen Sullivan (Department of Defense) described the military's legal authority and responsibility to address PFOA and PFOS under SDWA and CERCLA at its installations, and noted the importance of meeting program requirements in short timeframes.

Tracie White (Colorado Department of Public Health and Environment) described challenges Colorado has faced such as the lack of clear regulatory authority to compel site investigation and sampling to confirm potential sources, as well as delineate the extent of contamination plumes.

Session 2: “Solutions for Addressing PFAS”

Carel Vandermeijden (Cape Fear Public Utility Authority) discussed the Authority’s work to mitigate the effects of GenX contamination in the Cape Fear River and the importance of water infrastructure funding to implement advanced treatment systems.

Brandon Kernen (New Hampshire Department of Environmental Services) said that states need aligned standards determined at a federal level, and that regulators should be transparent by making public all sampling results, project documents, and other data.

Andrew Gillespie (EPA’s National Exposure Research Laboratory) outlined ORD’s efforts to address information gaps (i.e. toxicity, exposure, and risk management challenges) for many PFAS chemicals.

Session 3: “Communicating PFAS”

Patrick Breysse (ATSDR) discussed the Registry’s suite of resources including its ToxProfiles Database, which includes nearly 300 substances and defines minimal risk screening levels. ATSDR expects to soon release for public comment ToxProfiles for 4 PFAS compounds (PFOA, PFOS, PFNA, and PFHxS).

Erik Olson (Natural Resources Defense Council) made several recommendations, the most notable of which is that states should, where possible, implement state-level drinking standards for PFOA, PFOS, and PFAS at a level of 4-10 ppt.

Heidi Grether (Michigan Department of Environmental Quality) described her state’s aggressive approach to identifying PFAS contamination sites, and noted the importance of involving all stakeholders to identify a collective path forward, delivering a consistent message, and working closely with impacted communities.

Day 2 (Half day, open to state and federal participants only)

On Day 2, EPA asked participants to sit at tables of 8-10 people representing a balance of state and federal interests. EPA then proceeded through the main themes of Day 1 again, this time asking each table to reflect on the discussions and their own experiences. After providing time for table-level discussion, EPA asked a representative from each table to deliver that table’s message to the larger group.

The group discussions generated several ideas:

- Create a federal-state working group under the Federal Advisory Committee Act, or potentially through ECOS;
- Create a national clearinghouse for information on PFAS treatments, sampling methodology, source characterization, etc.;
- Create a GIS-based mapping program for PFAS contamination;
- Create fact sheets on specific exposure pathways;
- Secure funding for states to monitor priority sites (e.g. through WIFIA, bundling projects, DWSRFs, etc.);
- Create a partnership among public and private analytical labs to get some consensus on techniques that work;
- Increase federal and state efforts to understand, control, and inform the public about upstream PFAS sources from manufacturing activities and products.

ECOS Post-Summit Debrief Meeting

After the summit, ECOS convened a debriefing session in which approximately 30 participants tried to distill the messages and ideas that came out of the summit. Here are some of the things we heard, organized into some broad categories:

Regulation

- Is it a true crisis? Some states already have to take action but others are not sure this is the biggest drinking water priority.
- States need federal action under CERCLA, but remember that states have different hazardous substance definitions and some would struggle to regulate if PFAS were declared hazardous under CERCLA.
- TSCA should be used to address PFAS concerns. States need to talk to EPA about reviewing products before they are on the market.
- The history of action on perchlorate has lessons for us all.
- EPA's new "science transparency" rule may have implications for PFAS issues. We don't want to slow down action on PFAS by limiting the science EPA is able to consider.
- We need some way to arrive at a consensus, or follow the model of another discipline to arrive at an agreement in action levels for PFAS.
 - We have to assume the feds will be releasing more numbers soon.
 - Having lots of numbers makes it extremely difficult to regulate and the public loses confidence/trust.
 - Some states by law are not allowed to adopt something more stringent than the federal law.
- With 3000 different PFAS compounds, we have to think about how we'll create action levels for *groups* of compounds rather than individuals.

Best practices for risk communication

- Be transparent.
- Don't make the perfect the enemy of the good.
- Start with "I don't know" because the message can change; new information is coming out constantly and sometimes people are filling gaps with their own answers.

Data

- UCMR data might not give the full picture. It underrepresents the number of systems and number of states with PFAS. Among other things, the UCMR emphasizes systems that are supplied by surface water—it does not look at private wells and only considers community systems serving populations of a certain size.
- There is a wide range of sources, analytical methods, etc. We need improved data sharing and consistency.
- We need more labs that can analyze PFAS, and more methods for media besides drinking water.

Ideas for next steps

- Regional working groups;
- Push for action that will help protect us from other/future emerging contaminants;
- ECOS-led states-federal working group (avoid the FACA process);
- ECOS hosts a monthly cross-association PFAS call with state media associations, health groups and lab representatives; and
- ACWA and ASDWA are putting together a small group of 12 states to create a roadmap to explore the next "designer" chemicals.