

**From:** [GlenAnderson@everyactioncustom.com](mailto:GlenAnderson@everyactioncustom.com) on behalf of [Glen Anderson](#)  
**To:** [DOH EPH DW PFAS](#)  
**Subject:** VOTERS DEMAND VERY STRONG standards to protect our drinking water from PFAS !!!  
**Date:** Wednesday, August 25, 2021 1:49:35 PM

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External Email

Dear WA Department of Health,

I appreciate you taking action to protect the health of our communities and ecosystems by setting State Action Levels (SALs) for five different PFAS chemicals in drinking water. As we have seen in communities like Coupeville, DuPont, Airway Heights, and Issaquah, the consequences of drinking water contaminated with PFAS are serious and we have a moral obligation to address PFAS pollution from the source.

I'm a 72-year-old person of faith who STRONGLY SUPPORTS a clean environment, public health, and STRONG GOVERNMENTAL PROTECTIONS FROM POLLUTION, including PFAS chemicals!!!!

VOTERS DEMAND YOU DO YOUR JOB and PROTECT US VIGOROUSLY from PFAS chemicals and other pollution that hurts our environment and our health!!!!

Thank you for listening to faith communities and other stakeholders and editing the draft standard to require that important transient non-community (TNC) water systems near known PFAS contamination follow the same testing guidelines as other large Group A water systems.

In absence of a federal EPA standard, I'm grateful that the Department of Health is taking action on PFAS, but I would like to see more comprehensive action. I am concerned that the state SALs only cover five different PFAS chemicals but there are about 5,000 PFAS in the class. I urge the Department to require additional monitoring for total PFAS and implement a limit on all PFAS to protect drinking water and human health.

Under the current draft rule, if a water system exceeds the proposed SALs for PFAS, further testing/monitoring and public notification is mandated, but action to address the contamination, including clean-up, is not specified. I ask that the rule clearly articulate that if a PFAS SAL is exceeded, clean-up and/or other actions must be taken to return the drinking water supply to concentrations of PFAS below the SAL.

Thank you for your work to protect our communities from toxic PFAS.

Sincerely,  
Mr. Glen Anderson  
5015 15th Ave SE Lacey, WA 98503-2723  
[GlenAnderson@integra.net](mailto:GlenAnderson@integra.net)

**Regional Water Cooperative of Pierce County (RWPC) Review**

**Chapter 246-290 WAC and CR 102 Document**

#	Page Number	Section	Review Comment	Recommended Language or Action (if applicable)	Reviewer
1	General	N/A	<p>Members of the Regional Cooperative of Pierce County represent over 20 public water systems in Washington State, serving over a half million drinking water customers. We take our mission to provide safe drinking water very seriously. Although not a problem created by water utilities, we support the work of characterizing PFAS occurrence in drinking water, and the science of understanding the public health significance of that occurrence against the backdrop of the many modes of exposure in our communities. Our comments generally are intended to improve the clarity and accuracy of risk understanding and communication, and the rational, clear, science-based development of regulations to protect people.</p>		RWPC
2	CR102 P.2 246-290-71006, p. 83	<p>Statement: "Group A water systems with an exceedance of any PFAS SAL must notify their customers so they can make more informed decisions about their health and the health of their families."  246-290-71006</p>	<p>Accurately Informed customers is important. The challenge is that the information required to accurately inform customers does not appear in the proposal or supporting documentation. If a SAL is 10 ng/L, but a water system measures 12 ng/L, what is the appropriate message to help customers be "more informed about their health..."? Is the water unsafe for all people, for a subset of people (a most vulnerable population)?</p>	<p>Please develop clear, fact-based messaging for PWS to use across the array of potential sampling results. In plain language, clearly identify the process and assumptions (Subpopulation most at risk, RfD development, application of uncertainty factors, etc.) used in deriving SALs.</p> <p>Please provide water systems with consistent language and guidance for PFAS-related public notice. Provide different notice language based on the range and relative health risk of PFAS measured in the water source.</p> <p>Prior to requiring water systems to provide public notice regarding PFAS in drinking water, please provide relevant communication and messaging to healthcare providers in Washington State so that they may appropriately respond to potential patient concerns following notice to the public.</p>	RWPC
3	CR102 P.6	<p>Statement "In this rulemaking, the board and the department considered setting a state maximum contaminant level (MCL) for PFAS but ultimately the board directed the department to develop a "state advisory level", which is undergoing a concurrent name change in this proposal to "state action level (SAL)."</p>	<p>Different toxicologists (Federal and State) have used different analyses (toxicological endpoints of concern, points of departure, reference doses, water consumption, bioaccumulation in serum, serum half-life relative source contributions, application of uncertainty factors, etc.). These considerations and their application result in a range of action or maximum contaminant levels for the selected PFAS, all of which are deemed by the respective toxicologist as "safe". It is very difficult to explain to customers the variation in these analyses, the inherent uncertainties of toxicological assessments, and layers of conservatism applied.</p> <p>The supporting document "PFAS Toxicological Assessment", which forms the underlying basis for the SALs, equates SALs to maximum contaminant level goals (MCLGs) under the Safe Drinking Water Act, representing the "maximum level in tap water that we consider to be without health concern for long-term consumption in daily drinking water." However, there are no requirements for enforcement or public notification for MCLGs, which makes the SAL thresholds much more complex to explain to water system customers. If public notification is required for SAL exceedances, SAL development should include a cost-benefit analysis similar to what is required for setting MCLs.</p> <p>We recommend that the more rigorous development of a maximum contaminant level (MCL) be completed. This must weigh the totality of expected benefits across the totality of costs, which is a more appropriate approach to addressing this emerging and rapidly evolving concern. This allows optimized risk reduction solutions for a community facing a range of resource constraints.</p>	<p>Continue forward with a requirement to monitor (to develop occurrence data), similarly to the approach used by EPA in developing new regulatory determinations.</p> <p>Develop supporting toxicological assessments applicable to all people in a community. This will enable development of applicable risk communication materials for all community members, and support informed decisions regarding the removal of a water source from use, or investment in treatment, if feasible. The Department, through this SAL approach, is placing very difficult public health analysis, risk assessment and decision-making on utilities and customers that often do not have the training or background needed to fully assess options.</p> <p>Perform the necessary analyses including a rigorous cost: benefit model to develop enforceable maximum contaminant levels (MCLs). Promulgate appropriate MCLs with associated required action.</p>	RWPC

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4	246-290-010 Definitions, p 5	(44) Confirmation means to demonstrate the accuracy of results of a sample by analyzing another sample from the same location within a reasonable period of time, generally not to exceed two weeks. Confirmation is when analysis results fall within plus or minus thirty percent of the original sample results.	<p>Suggest that the definition be "Confirmation sample" rather than "Confirmation". "Confirmation sample" is how it is used throughout the monitoring and follow up actions sections.</p> <p>A confirmation sample does not demonstrate the accuracy of results. Accuracy is not the correct word to use here. A second sample collected on a different day under different conditions cannot demonstrate "accuracy" of the initial sample result. They are two different samples. The accuracy of a sample result is confirmed only by the QA/QC performed by the lab at the same time that the sample is run, and/or by analyzing a second aliquot of the very sample (leftover sample) and obtaining the same result (+/- allowable limits).</p> <p>A confirmation sample is a second sample from the same location collected at a later date (generally within two weeks) and analyzed to confirm with confidence that the earlier detection/presence in the initial sample is real and valid and representative of that sampling location's source water concentration.</p>	<p>Should be able to get the official lab definition from Ecology's environmental lab accreditation unit or an accredited lab.</p> <p>But something like below (this is a difficult one to word):</p> <p>A confirmation sample is a second sample from the same location collected at a later date (generally within two weeks*) and analyzed to confirm with confidence that the earlier detection/presence in the initial sample is real and valid and representative of that sampling location's source water concentration.</p> <p>(*generally not to exceed two weeks following initial sample collection date, or within 10 business days of receiving initial sample results from the lab, whichever is greater)</p>	RWCPC
5	246-290-010 Definitions, p. 14	(170) "PFAS"	In the definition of "PFAS", the word "form" should be "foam".	Change "form" to "foam".	RWCPC
6	246-290-010 Definitions, p 16	(214) Running annual average (RAA)	<p>Thank you for adding this definition. All is clear, as written. An addition is suggested. There is another scenario where zero may be used to calculate the RAA, and that is when the source(s) with &gt;MCL concentration of the chronic contaminant is out of service the entire quarter:</p> <p>1) intentionally removed from service for mitigation purposes, i.e., to reduce customer exposure to the chronic contaminant and to ensure compliance with the RAA-based MCL, or</p> <p>2) out of service for operational or other reasons.</p> <p>EXAMPLE of #1: Arsenic at &gt;10 ppb, when blending of sources to &lt;10 ppb prior to entry is not yet an option, for example during treatment design.</p>	<p>"If source(s) with <math>\geq</math>MCL concentration of a chronic contaminant are not in service the entire quarter, and therefore not being served to customers, zero may be used for that quarter to calculate the RAA."</p> <p>Probably not appropriate for the Definition section, but: DOH may want to add that "water system shall let department know if/when the source is being removed from service and when it is returned to service".</p>	RWCPC
7	246-290-010 Definitions, p 18	(238) State action level (SAL)	Change "triggers actions a purveyor takes" to "triggers actions a purveyor <b>must</b> take" (per 246-290-320 - Follow up action, and consistency with Summary of Changes wording for -320)	see at left	RWCPC
8	246-290-130 Source Approval, p 28	(4)(g)(ii), or (vii)	<p>Add corrosion WQPs to initial water quality analysis (at minimum, alkalinity and calcium). Even better, add these tests to all routine compliance IOCs.</p> <p>In addition to the complete IOC for initial analysis (which already includes hardness and conductivity), please also require alkalinity &amp; calcium (tested by lab) and field pH and temperature measured by qualified trained operator/sampler. With the increased requirements of the revised LCR to ensure corrosion in the system is controlled/optimized, DOH Regional Engineers are now expecting the water system to evaluate in the project report the impact the new source may have to the overall water quality on the system. These corrosion WQPs inform a better assessment; please require them upfront for new source approval. Better yet, they should be required in every routine IOC, as another indicator of water quality stability. It's more effective to just add these tests to the lab template IOC report and require them up front than it is to expect water systems to do them voluntarily (at least alkalinity and calcium; We realize field measurements like pH and temp can be difficult to require via a lab template). Thanks for considering.</p>	Add corrosion WQPs to (4)(g)(ii) or (vii).	RWCPC
9	246-290-130 Source Approval, p 29	(4)(g)(vi)	Re-word sentence slightly for clarity. First state where contaminants with SALs can be found, then state the exceptions and where those exceptions can be found.	(vi) Contaminants with a SAL under WAC 246-290-315, Table 9, except where waived or not applicable under WAC 246-290-300 (10)	RWCPC
10	246-290-130 Source Approval, p 29	(4)(h)	Contradicts (4)(g)(i), which states raw water coliform source sample must be satisfactory	If unsatisfactory raw water coliform sample may be approved if treatment is provided, add "unless approved disinfection treatment is provided" to end of sentence in (4)(g)(i).	RWCPC

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11	246-290-300 Monitoring Requirements, p 30	(1)(c)	This sentence needs clarification. "The analyses must be performed by a laboratory accredited by the state using EPA-approved methods or other department-approved methods"	By definition, "department" refers to the Department of Health. Does DOH approve methods used by accredited labs for analyses? (if so, how?) By "department-approved", do we actually mean Ecology's environmental lab accreditation unit?  Or does the "using EPA approved methods" portion of this sentence apply only to the accredited lab, and the "or other department-approved methods" apply to the tests that are mentioned in the next sentence that can be performed by the various DOH-approved parties? If so, please split this sentence up for clarity.	RWPC
12	246-290-300 Monitoring Requirements, pp 43-44	(10)(a)	1. First sentence: "Purveyors shall monitor for contaminants with an SAL in accordance with Tables 3 and 4 of this section."  The word "monitor" in this sentence is too general. Tables 3 and 4 specifically address frequency and location for sampling. Replace the word "monitor" with "sample".  2. Second sentence: "Source sample locations and blended samples are allowed as consistent with other federally regulated organic contaminants referenced in subsection (7)(b) of this section".  "Other" as it is used in this sentence could mistakenly imply that, being an organic with source sample locations and blended samples also being allowed as consistent with those "other" federally regulated organic contaminants, that PFAS contaminants are also federally regulated. But they are not federally regulated; they are state regulated.	1. "Purveyors shall sample for contaminants with an SAL in accordance with Tables 3 and 4 of this section."  2. Remove the word "other" from the sentence. Not needed. "Source sample locations and blended samples are allowed as consistent with federally regulated organic contaminants referenced in subsection (7)(b) of this section".	RWPC
13	246-290-300 Monitoring Requirements, pp 43-44	(10)(a), Table 3	1. Table 3 heading - "SAL Monitoring" SALs are not monitored. Contaminants are monitored.  2. Table 3 addresses sampling requirements for contaminants with SALs. First column heading "Per and polyfluoroalkyl substances (PFAS)" is too general. Not all PFAS chemicals have SALs.  3. Table column headed "Initial Sampling":  "One sample on or before December 31, 2025". The "one sample" is misleading. If one were to not read beyond Table 3, one would not be aware that additional sample(s) are required to confirm the presence and concentration of a detection in an initial sample within a certain time frame (two weeks?), in order to determine required follow up action and future sampling frequency.  4. Table column headed "Routine Sampling Frequency":  "Once every three years". Without further elaboration of what routine means, this could be misleading.	1. Change heading to "Monitoring for Contaminants with SALs".  2. Only the specific contaminants with SALs should be listed in this column. Column heading should be "Contaminant". Remove the words "or Groups of Contaminants".  3. "One sample on or before December 31, 2025". (unchanged) Footnote needed below table: "Additional quarterly sample(s) is/are required if there is a detection of any PFAS contaminant tested, and if there is an exceedance of any PFAS SAL. This is to confirm the presence and concentration of PFAS. Number of required quarterly samples is based on concentration in the initial sample (see the appropriate section for low, med, high % of the SAL, and exceedance of the SAL)".  4. "Once every three years." Add footnote: "If no PFAS contaminants tested are detected during initial sampling".	RWPC

#	Page Number	Section	Review Comment	Recommended Language or Action (if applicable)	Reviewer
14	246-290-300 Monitoring Requirements, p 44	(10)(b)	<p>"Purveyors shall monitor for the PFAS contaminants listed in Table 7 under WAC 246-390-075". (Lab Rule -390, different chapter of the WAC than -290)</p> <p>Each of the two currently approved EPA test methods requires a list of 18 or 25 specific PFAS contaminants that are specific to that test method. Method 537.1 requires testing for 18 PFAS contaminants. Method 533 requires testing for 25. Most overlap between the two methods but a few do not. All 18 or 25 contaminants must be tested by the lab - not just the five PFAS contaminants with SALs - and reported to DOH in order for the water system to qualify for a monitoring waiver at a later date (once waiver model is developed). The lab cost per sample can also vary for each of the test methods used. The purveyor's lab may give the purveyor the option of choosing which test method they would like the lab to use. Because WAC 246-290-300(10)(b) refers out to a different chapter (the Lab Rule -390), and there is no mention in -300 (10)(b) of the differences between the two available methods, there should be additional information provided in -300(10)(b) on all of this.</p>	<p>Please clarify if it is the department's intent that every system required to monitor for a SAL must have each sample analyzed using both EPA Method 533 and EPA Method 537.1 in order to test for <u>all 29 analytes</u> listed in Table 7 (WAC-246-390-075) as seemingly required by WAC 246-290-300(10)(b). Or, can either method be used, with analyses completed only for PFAS for which there is a SAL?</p> <p><u>Recommendations:</u></p> <p>"Purveyors shall monitor for the PFAS contaminants listed in Table 7 under WAC 246-390-075. The total number of contaminants required to be tested, and the specific contaminants required to be tested, is specific to the test method used. All contaminants required by each method must be tested and reported to the department in order for the water system to qualify for a monitoring waiver."</p> <ol style="list-style-type: none"> <li>Change heading to "Monitoring for Contaminants with SALs".</li> <li>Only the specific contaminants with SALs should be listed in this column. Column heading should be "Contaminant". Remove the words "or Groups of Contaminants".</li> <li>"One sample on or before December 31, 2025". (unchanged) Footnote needed below table: "Additional quarterly sample(s) is/are required if there is a detection of any PFAS contaminant tested, and if there is an exceedance of any PFAS SAL. This is to confirm the presence and concentration of PFAS. Number of required quarterly samples is based on concentration in the initial sample (see the appropriate section for low, med, high % of the SAL, and exceedance of the SAL)".</li> <li>"Once every three years." Add footnote: "If no PFAS contaminants tested are detected during initial sampling".</li> </ol>	RWCPC
15	246-290-300 Monitoring Requirements, p 44	(10)(b)(ii)	<p>"Initial PFAS sampling prioritization and scheduling is based on the following criteria:..."</p> <p>Just as (10)(b)(iii) states specifically that at-risk TNC systems must sample as directed by the department), (ii) should also state something similar for Group A community and NTNC systems. It is not clear, as currently written in (i) and (ii), that the department prioritizes which sources are to be scheduled during initial sampling and/or if the water system can prioritize the sampling themselves using the criteria.</p>	(ii) "Initial PFAS sampling prioritization and scheduling, as determined by the department, is based on the following criteria".	RWCPC
16	246-290-300 Monitoring Requirements, p 44	(10)(b)(ii) and (ii)(A),(B, and)(C)	<p>Consistent with at-risk TNC systems in (iii), sampling prioritization and scheduling criteria used by the department for community and NTNC systems should include "due to proximity of the system's water supply to known PFAS contamination". Should also define what the proximity criterion is ("within 2 miles"?). This could be listed under (B) Vulnerability of the source to PFAS contamination.</p> <p>"(A) Susceptibility of the source water to contamination by surface activities due to physical attributes of the source".</p> <p>"(B) Vulnerability of the source water to PFAS contamination".</p>	<p>List examples of the source physical attributes that contribute to this susceptibility and that DOH will use to prioritize and schedule.</p> <p>List examples of vulnerability. Proximity and relative location to a known source of contamination could be listed here. Groundwater flow in the area, and the source being downgradient of a known contaminated source.</p> <p>The above will help water systems better understand source vulnerability and susceptibility, source protection, and how to prioritize their source sampling. In turn, water systems can share their intimate knowledge of their systems/sources with DOH to assist with accurately assessing and prioritizing susceptibility and vulnerability.</p>	RWCPC
17	60	246-290-455(2)	<p>This section reads that "Purveyors using treatment <u>or blending</u> to remove or reduce a contaminant with a SAL" shall collect finished drinking water samples on a quarterly basis. With the inclusion of blending in this section, any system that blends sources prior to the entry point to the distribution system and has some detection of PFAS in any of those sources would inherently have to monitor quarterly. WAC 246-290-300(10)(a) indicates that blended samples are allowed. Please clarify in what cases blending is considered treatment for PFAS and requires quarterly monitoring.</p>	<p>Remove the words "or blending" from the section, or clarify that the quarterly monitoring requirement only applies when initial blended sample results are greater than a SAL and changes in blending operations are used to reduce the concentrations below that SAL.</p>	RWCPC

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18	Page 18 & Page 85	246-290-010 Definitions 246-290-72004(5) Contents Definitions	Definition of SAL is not consistent; if SAL is exceeded one indicates "actions a purveyor takes", while the other indicates, "actions a water system <b>must</b> take" (emphasis added). The first allows ambiguity (compulsory vs. voluntary?), the second does not.	Adopt uniform definition language that is clear about requirements.	RWCPC
19	95-96	WAC 246-290-72012 Regulated contaminants.	The co-mingling of SALs and MCLs in this table, alongside MCLGs may be misleading to some readers. The development document for the PFAS SALs explicitly states that the derived values are based on the MCLG model. It would therefore be more transparent and accurate to list SALs with MCLGs than with MCLs.  The prescribed health effects language is challenging. All possible adverse health impacts are listed, but the derived SAL is not based on all those health effects. As well, terms like "much higher than" are ambiguous, and may cause confusion.	Move the SALs to the same column as MCLGs, or differentiate with their own column.  Develop comprehensive health effects communication tools, and cite them as references here. At our current state of knowledge, the varying potential impacts of PFAS across populations and exposure levels do not lend themselves to be effectively reduced to two sentences. EPA's current Health Advisory Fact Sheet is 5 pages long, and its document titled "Drinking Water Health Advisory for Perfluorooctanoic Acid (PFOA)" is over 100 pages long. A balance of clarity and depth must be struck, but these two sentences as mandatory health effects language, at our current state of knowledge and national consensus, may be insufficient.	RWCPC
20	95	246-290-71006	Table 17 includes DCPA acid metabolites but with an assigned tier level but it is not included with an established SAL under table 9 of 246-290-315(4)a.	Clarify monitoring/SAL requirements for DCPA acid metabolites	RWCPC
21	99	246-290-72012	Under Treatment Technique Violations, the added lines for Acrylamide and Epichlorohydrin do not identify their use as drinking water treatment chemicals in the "Major Sources in Drinking Water" column.	Include "Added to water during water treatment" to both lines.	RWCPC
22	Recommended State Action Levels for Per- and Polyfluoroalkyl Substances (PFAS) in Drinking Water: Approach, Methods, and Supporting Information - Page 4	Glossary of Toxicological Assessment	Gives m/L instead of mg/L; (typo).	Use mg/L	RWCPC



# SIERRA CLUB

WASHINGTON STATE

September 3, 2021

Jocelyn Jones  
Policy Planner and Project Manager  
Washington State Department of Health

Nina Helping  
Policy and Rules Coordinator  
Washington State Department of Health

Dear Ms. Jones and Ms. Helping:

The Sierra Club Washington Chapter is writing to urge the Department of Health to take strong and immediate action to protect state residents from toxic per- and poly-fluoroalkyl substances (PFAS) chemicals in drinking water. The state is leading national efforts to curtail the unnecessary use of PFAS in new products including food packaging and textiles, yet communities around Washington have significant exposure to PFAS in drinking water. The state should act with urgency to avert these exposures.

We applaud the proposed water guidelines as a first step toward community protection and suggest ways the Department of Health can modify and extend this proposed action to ensure the most meaningful and timely protection for state residents who have been exposed to harmful amounts of PFAS in drinking water, sometimes for decades.

**Proposed SALs** - The proposed State Action Levels (SALs) for drinking water are a useful way to identify water sources that contribute to excessive exposures for residents of the state. However, State Action Levels are not binding. Washington should explore provisioning state funding and technical support for water systems and well owners with water levels that exceed the SALs. Otherwise, potentially only larger and more affluent cities/water systems will enact costly treatment which could result in inequitable protection from contaminated water across the state.

We encourage the Department of Health to enact Maximum Contaminant Levels (MCLs) as the next step to ensuring lasting protection of drinking water sources. MCLs are legal limits for pollutants, and grant the state enforcement authority for non-compliance. MCLs also give additional legal protection to communities impacted

by military contamination or other industrial sources. Presently, the military is only extending water filtration to communities where PFAS levels exceed the weak and non-protective federal health advisory of 70 parts per trillion for the combined PFOS + PFOA. We also support provisions in WAC 246-290-315(8) (8) that clarify that future federal MCLs for contaminants will supersede state SALs or less protective state MCLs.

**Ensuring health protective guidelines** - While the proposed SALs are stronger than federal guidelines, they are still less protective than the state MCLs in Massachusetts and Vermont which limit the sum of 5 or 6 PFAS chemicals to no more than 20 parts per trillion.

With thousands of PFAS chemicals in commerce, these group standards are also a step closer to addressing the additive impacts of exposure to multiple PFAS chemicals via water. Although the Department of Health acknowledges this and calls the individual SALs for 5 chemicals a “reasonable initial approach” we urge the Department to consider people’s concurrent and lifelong exposure to a complex mixture of PFAS chemicals.

The field of PFAS toxicity and epidemiology is growing rapidly with new data on additional PFAS, and more sophisticated methods to measure the impacts of lower levels of exposure. We recommend that the Department of Health set up a mechanism to ensure that all SALs and MCLs for PFAS in drinking water be reviewed and updated regularly. These reviews should consider new data about the additive or synergistic effects of exposure to multiple PFAS chemicals.

**Expanding to address more PFAS chemicals** - Upon finalizing this guidance, the Department of Health should consider ways to require monitoring with analytical methods that capture a broader array of PFAS chemicals. The Total Oxidizable Precursor Assay (TOP) is a way to quantify PFAS chemicals that break down to form things like PFOS, PFOA, and PFHxS. Additionally, several analytical tests measure total organic fluorine (TOF) or total extractable organic fluorine (EOF), which would include all PFAS chemicals.

As soon as practical the Department of Health should require these tests be used to gauge the magnitude of human exposure to other unidentifiable PFAS chemicals and ensure selection of treatment technologies that are effective in reducing or eliminating exposure to multiple classes of PFAS compounds. We recommend that the Department of Health establish SALs for groups of PFAS chemicals detected by TOP, TOF or EOF, and require that all systems periodically test untreated drinking water with these methods. Systems that exceed the guideline should also test treated drinking water to ensure the final levels in drinking water are sufficiently low.

We support the Department’s new provisions to establish SALs and state MCLs for chemicals including in EPA’s periodic Unregulated Contaminant Monitoring Reporting (UCMR) program. PFAS are an example of a contaminant of emerging

concern that was detected through the UCMR program. While the UCMR 2013-2015 monitoring found widespread detections of PFAS in drinking water, EPA has been unable to set appropriate, timely and health-protective water quality standards for PFAS and any other chemicals, UCMR or otherwise. EPA's next round of UCMR-mandated monitoring for PFAS will include 29 specific chemicals. As a next step, Washington should consider setting SALs for these compounds.

**Timeframe for testing and disclosure** - Testing and data analysis should not be delayed until 2023. Too many people are drinking this water right now and will continue to do so. PFAS contamination is spreading to reach new waterways, and concentrations could be increasing due to the ongoing use of AFFF for fire fighting and poor control over discharges to waterways.

It is critical that the public is informed as soon as possible about where and what PFAS contamination exists in our communities. We advocate for the public availability of all such testing results of our water sources beyond simply what is served as drinking water. All "transient, non-community water systems" be monitored at least once to ensure they do not contain PFAS. We recommend that in addition to the current required public postings in the media and in the annual reports, notification with exact levels of PFAS in water samples exceeding the standards should be provided as soon as possible to each consumer by direct mail or a water bill insert.

**Preserving water quality**- Preventing further contamination of ground and surface waters is a crucial aspect of drinking water protection. A large number of measures are urgently needed to keep PFAS out of waters, ranging from setting protective Water Quality Standards for PFAS in surface waters, regulating discharges from point sources into the wastewater system, controlling the disposal of biosolids, landfill leachate, and cleaning up contaminated sites, among others. While many of these aspects are regulated by the Department of Ecology, they can collectively reduce the amount of PFAS in drinking water, and avert the need for costly technologies and permanent treatment regimens to remove PFAS from water at the point of human consumption.

In conclusion, PFAS chemicals pose clear threats to people and the environment. We thank you for your leadership in addressing these chemicals and we strongly urge you to finalize the proposed rules and continue to strengthen the regulation of PFAS in drinking water.

Thank you for your consideration.

Elaine Packard, Chair  
Water & Salmon Committee  
Washington State Chapter Sierra Club



September 3, 2021

Jocelyn W. Jones  
Department of Health—Office of the Assistant Secretary  
PO Box 47820-7820  
Olympia, WA 98504-7820

Dear Ms. Jones:

Toxic-Free Future greatly appreciates the work of the Department of Health (DOH) to adopt drinking water rules that address per and polyfluoroalkyl substances (PFAS) in Washington State's drinking water.

DOH's proposed rule takes important steps to require testing for PFAS in drinking water in the state and establish State Action Levels (SALs). We thank the agency for these steps and request that the rule be strengthened before it is finalized.

Toxic-Free Future and a number of organizations petitioned DOH in 2017 to adopt drinking water standards and the urgency to finalize strong rules continues to grow:

- PFAS drinking water contamination has already had a serious impact on communities in Washington state, including Issaquah, Whidbey Island, Lakewood, and Airway Heights.
- Protecting communities from PFAS exposure is particularly important due to the ability of the chemicals to impact the immune system. [PFAS can weaken the immune system and make people more likely to catch infectious diseases like colds, stomach bugs—and potentially Covid-19.](#) This is suggested by several studies finding people with higher exposures to PFAS are at increased risk of communicable diseases. PFAS can also reduce vaccine effectiveness.
- Lawsuits are mounting. The [Washington State Department of Corrections](#), the City of Airway Heights, the [Lakewood Water District](#) and the [Kalispel Tribe](#) have each filed lawsuits this year to help recoup the costs of clean-up and other impacts of inaction by the U.S. government and chemical companies.
- [EPA data from 2016](#), not previously included in the PFAS Chemical Action Plan, shows significant PFAS groundwater contamination at a [Moses Lake Superfund site](#).
- The Centers for Disease Control recently measured elevated levels of PFAS in the blood of Airway Heights residents. As stated in the supporting document for the draft rule, "a recent Center for Disease Control / Agency for Toxic Substances and Disease Registry study in the community of Airway Heights, Washington showed that study participants had mean serum levels of PFHxS that were 60 times higher than national norms even two years after PFAS contamination had been fully mitigated in their community drinking water."

- In 2020, new drinking water contamination was found by the Navy in an [PFAS investigation of Kitsap Naval Base-Bangor](#).

We urge the Department of Health to strengthen the rule in the following ways:

1. **Address PFAS as a class**: There are more than 5000 PFAS in the class of PFAS and Dept of Health is proposing to address five. We urge the department to also obtain information on the presence of other PFAS by requiring testing for total fluorine or using the total oxidizable precursor assay. This approach is essential to our understanding of what chemicals are present in drinking water in our state, and will inform the department for development of future standards. DOH should also establish a limit for total PFAS detected.
2. **Do not delay testing or rule implementation until 2023**: We strongly urge immediate PFAS testing and implementation of the drinking water rule. Washington is far behind many states such as Michigan, New Jersey, and others. There is no reason for such a long delay and water systems have known this rule would be adopted since 2017. As mentioned above this is an urgent matter of protecting health, particularly the most vulnerable.
3. **Require PFAS testing for transient noncommunity systems once every three years**. For some systems, like those that serve churches and motels, the draft rule only requires testing if the department finds they are at risk. Transient noncommunity systems include several categories that often serve individuals for an extended period: motels, restaurants, churches, and farmworker housing. We urge the department to include transient noncommunity systems in the full monitoring requirement and require testing once every three years.
4. **When SALs are exceeded, it should be clear that mitigation is required to meet the SAL**. The draft rule requires water systems to notify consumers when SALs are exceeded as well as continued monitoring and investigation of the cause of contamination. It also requires action as directed by the department. The rule should more clearly require that systems ensure the SALs are not exceeded. What other actions would DOH require other than meeting the action level? It should be clear to water systems that these levels are to be met.

Thank you for the opportunity to provide these comments.

Sincerely,

Laurie Valeriano  
Executive Director  
Toxic-Free Future

**From:** [David Slight](#)  
**To:** [DOH EPH DW PFAS](#); [DOH EPH Lab Rule](#)  
**Subject:** PFAS Rulemaking – Formal Comments  
**Date:** Friday, September 3, 2021 1:56:45 PM

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External Email

**Washington Water Advocates** (WWA) are a group of water advocates sharing information to support the advocacy of cleaner, safer water in Washington State covering topics such as:

- forever-chemicals such as PFAS
- water recycling and reuse
- drinking water quality
- the quality and stewardship of the oceans and waterways
- and other environmental and tribal concerns such as fish and dams on the rivers.

Advocacy groups are critical to provide support for regulators but also to watch and monitor compliance.

We take an interest and are concerned for our future water supply. WWA is writing to urge the Department of Health to take strong and immediate action to protect state residents from toxic per- and polyfluoroalkyl substances (PFAS) chemicals in drinking water. Having reviewed the proposed approach by the Washington State Department of Health (reference [PFAS: Per- and Polyfluoroalkyl Substances :: Washington State Department of Health](#)) we are in favor of setting strict levels for PFAS and other chemicals in our water supply that will trigger and require action by local water suppliers.

We applaud the proposed water guidelines and approve and support this first step in establishing thresholds and monitoring regimes and standards for explicit PFAS reporting to protect public health as outlined in PFAS in Group A public drinking water systems encoded as State Action Levels for this first subset of forever-chemicals.

As others have suggested, the timeframe for testing and data analysis should not be delayed until 2023. Too many people are drinking this water right now and will continue to do so. It is critical that the public is informed as soon as possible about where and what PFAS contamination exists in our communities.

Our hope is that over time:

- the levels in various drinking water supplies will be monitored and openly published (supporting the change to within 30 calendar days)

- other specific substances can be added to this list (consider ways to require monitoring with analytical methods that capture a broader array of PFAS chemicals)
- acceptable levels are further reduced (supporting the current reductions to sulfate and chloride)
- the state will help local water districts with monitoring, remediation, and funding
- the state will also look at regulation and licensing around the production and usage of such chemicals in the first instance.

Please include us in future relevant communications and for further information please contact us at [info@washingtonwateradvocates.org](mailto:info@washingtonwateradvocates.org)

Washington Water Advocates

<http://www.washingtonwateradvocates.org>

September 3<sup>rd</sup>, 2021