From: Amanda Balzer <ABALZER@redmond.gov>
Sent: Monday, October 27, 2025 8:56 AM
To: DOH WSBOH Drinking Water <DrinkingWater@sboh.wa.gov>
Subject: Redmond PFAS Rulemaking Comments

External Email

Washington State Board of Health,
Thank you for the opportunity to provide comments to Department of Health PFAS rulemaking process. Please find attached Redmond's comments.

Thank you,
Amanda

Amanda Balzer, LG (she/her/hers)
Policy and Program Advisor, City of Redmond

425-556-2753 abalzer@redmond.gov www.redmond.gov

MS:2NPW • 15670 NE 85th St • PO Box 97010 • Redmond, WA 98073-9710

Redmond
WASHINGTON

October 27, 2025

Patty Hayes
Washington State Board of Health
PO Box 47990
Olympia, WA 98504-7600

Re: Comments on Proposed Group A Public Water Supplies - PFAS Rulemaking

Dear Chair Hayes:

The City of Redmond ("Redmond") appreciates the opportunity to provide comments on Department of Health's PFAS Rulemaking. Redmond supports efforts to ensure public water systems are safe and reliable to protect public health, while maintaining consistency and clarity for water utilities to plan for investments and communicate effectively to the community.

It is Redmond's understanding that the proposed rule changes are intended to align the Washington State Department of Health (DOH) State Action Levels (SALs) with the proposed Environmental Protection Agency (EPA) maximum contaminant levels (MCLs). Based on the EPA announcement on May 14, 2025, Redmond supports alignment between DOH SALs and EPA MCLs for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) to ensure consistency and clarity for water utilities.

While Redmond supports alignment, we are concerned that proposed changes in EPA regulatory determinations for PFHxS, PFNA, HFPO-DA, and PFBS may lead to confusion and reduce consumer confidence. Given the substantial cost and time required to implement PFAS water treatment systems to comply with the SALs and MCLs, we strongly advocate for regulatory certainty when establishing the drinking water standards that water systems must meet. Therefore, Redmond recommends maintaining DOH SALs for PFHxS, PFNA, HFPO-DA, and PFBS under an emergency rule until there is certainty in the EPA regulatory determination for these chemicals.

As such we support ongoing alignment but would oppose any future DOH SALs which would deviate from the EPA MCLs.

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The proposed rule does not clearly state an effective date. An effective date at least 60 days after the adoption date would be helpful to ensure water utilities could meet the notification requirements for initial detections above the DOH SAL.

For water utilities to meet drinking water standards and maintain consumer confidence we require ongoing alignment and regulatory certainty. Thank you for considering our input on this proposed rule.

Sincerely,

Amanda Balzer, LG
Policy and Planning Advisor
Public Works
City of Redmond

City Hall
PO Box 97010
15670 NE 85th Street
Redmond, WA
98073-9710

From: Bird, Joel <jbird@wawater.com>
Sent: Thursday, October 23, 2025 4:35 PM
To: DOH WSBOH Drinking Water <DrinkingWater@sboh.wa.gov>
Subject: WA PFAS Rule

External Email

Personally I would like the WADOH to be bold and adopt the rules adopted by the EPA June 24, 2024. The Hazard Index is an attempt to regulate the "class" of PFAS compounds that currently exist
In the drinking water of Washington. I support better protection of public health by adopting the June 24, 2024 EPA decision and not the latest EPA decision under the current federal administration.
I believe the Hazard Index is a move in the right direction for regulators. It generally takes years or decades to regulate chemicals that can have a negative impact on public health. It takes a lot less time
to reformulate a chemical that is hazardous to public health than it takes to regulate a single chemical. You can reformulate faster than you can regulate. It is estimated that there are up to 15000 chemicals that can be classified as PFAS. Currently analytical
methods allow laboratories to identify and quantify 29 PFAS chemicals. I fully support WADOH taking the approach of regulating the class of chemicals, not just the individual PFAS chemical.

Thank you for accepting my personal comments regarding PFAS.

Joel C. Bird, BS/MBA
Water Quality Manager
Washington Water Service
Cell: (360) 507-0790
Office: (360) 810-8344

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From: DeFolo, Kim <kdefolo@tacoma.gov>
Sent: Monday, October 27, 2025 2:39 PM
To: DOH WSBOH Drinking Water <DrinkingWater@sboh.wa.gov>
Subject: Comments on Proposed PFAS Permanent Rule

Attached, please find Tacoma Water's comments on proposed amendments to WAC 246-290-315 and WAC 245-290-71006 related to PFAS.

Thank you,

Kim DeFolo, P.E. | Tacoma Water
Water Quality Principal Engineer
P: (253) 396.3087 | C: (253) 405.6511
kdefolo@Tacoma.gov | www.tacomawater.com

TACOMA WATER
TACOMA PUBLIC UTILITIES

3628 South 35th Street
Tacoma, Washington 98409-3192

TACOMA PUBLIC UTILITIES

October 27, 2025

Washington State Board of Health
PO Box 47990
Olympia, WA 98504-7990
drinkingwater@sboh.wa.gov

RE: Public Comment on Proposed PFAS Permanent Rule

Dear Washington State Board of Health:

Tacoma Water has reviewed the proposed amendments to WAC 246-290-315 and WAC 246-290-71006 related to PFAS and appreciates the opportunity to provide comment.

Based on our understanding of the draft updates, the changes will ensure that the State SALs for PFAS remain in place until the National Primary Drinking Water Regulations for PFAS go into effect and will immediately update the SALs to align with the MCL values and running annual average exceedance basis currently in the federal PFAS Rule. Tacoma Water supports maintaining existing protections for PFAS under the SALs until the federal rule is in effect. We have concerns about the proposed changes to the current SALs:

- The U.S. Environmental Protection Agency (EPA) has announced its intent to rescind and reconsider the MCLs for PFHxS, PFNA, HFPO-DA, and the Hazard Index mixture. Adopting values for the SALs that are based on MCLs that EPA is likely to change creates confusion for water systems and the public. If the EPA follows through on its announcement, the updated WAC standards would no longer be relevant.

- The American Waterworks Association (AWWA) and the Association of Metropolitan Water Agencies (AMWA) filed a lawsuit against the EPA (https://www.awwa.org/resource/pfas/) claiming that the federal PFAS Rule did not rely on the best available science and most recent occurrence data and used novel approaches (specifically the hazard index). Incorporating standards and approaches into State regulations that are still under consideration in federal court opens the State and water systems up to additional risk and uncertainty. Drinking water contaminants are required to be regulated through MCLs and treatment techniques; introducing use of a hazard index into drinking water regulation – either at the federal or state level – requires thorough scientific and legal review and extensive time for water systems and the public to understand and evaluate the approach.

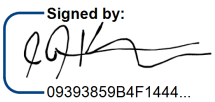
- Water systems in Washington State have been vigorously planning for, designing, and constructing PFAS treatment systems to meet the current SALs and the federal compliance deadline of April 2029. Immediately reducing the SALs to match the federal MCLs would change the goal posts for water systems who are already on very tight timeframes to implement treatment. The current SALs are protective of public health, and leaving them in place provides an appropriate bridge between the existing State requirements and the federal PFAS Rule, either the current version or a future iteration.

- The federal PFAS Rule requires taking samples at "entry points to the distribution system" during "periods of representative operating conditions." If the SALs are reduced to match federal MCLs, the language related to monitoring locations should also be modified to match the federal rule. Consideration for running annual average (RAA) calculation for water systems with seasonal sources is critical.

Tacoma Water respectfully requests that the current SAL values be kept in place until the federal PFAS Rule becomes effective.

If there are any questions regarding these comments, please contact Kim DeFolo at 253-405-6511 or kdefolo@Tacoma.gov.

Sincerely,

Signed by:

09393859B4F1444...

Jessica Knickerbocker
Deputy Superintendent
Tacoma Water

Cc: Kim DeFolo
File

From: David Morton <davidwardmorton@yahoo.com>
Sent: Thursday, October 16, 2025 9:05 PM
To: DOH WSBOH Drinking Water <DrinkingWater@sboh.wa.gov>
Cc: Jessica Atlakson <jatlakson@redmond.gov>; Aaron Bert <abert@redmond.gov>; Aaron Moldver <amoldver@redmond.gov>; Amanda Balzer <abalzer@redmond.gov>; Andy Quast <aquast@redmond.gov>; info@redmond.gov; backflowtests@redmond.gov; groundwater@redmond.gov; Sustainability <sustainability@redmond.gov>; Jenny Lybeck <jlybeck@redmond.gov>; Micah Bonkowski <mbonkowski@redmond.gov>; Erin O'Mara <eomara@redmond.gov>; Valeria Cosgrove <vcosgrove@redmond.gov>; MayorCouncil <mayorcouncil@redmond.gov>; Planning Commission <planningcommission@redmond.gov>
Subject: Public Comment on Proposed Amendments to WAC 246-290-315 and WAC 246-290-71006 -- CR-102 Proposed Rule – Group A Public Water Supplies and PFAS Standards

Public Comment on Proposed Amendments to WAC 246-290-315 and WAC 246-290-71006

Per- and Polyfluoroalkyl Substances (PFAS) State Action Levels and Public Notification

Submitted to: Washington State Board of Health
Via: drinkingwater@sboh.wa.gov
Date: October 16, 2025

Re: CR-102 Proposed Rule – Group A Public Water Supplies PFAS Standards
Attached: Word document containing this entire Public Comment

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Introduction

I am writing as a resident served by a Group A public water system in Washington State and as an individual with technical expertise in chemistry and environmental health. I appreciate the Board's proactive approach to protecting public health by proposing amendments that align state standards with EPA's recent PFAS regulations while maintaining critical protections during the transition period until 2029.

I support the **public health intent** of these proposed rules, particularly the effort to preserve 30-day notification requirements and lower State Action Levels (SALs) to match EPA's

Maximum Contaminant Levels (MCLs). However, after careful review of the **CR-102 filing** and **proposed rule text**, I have identified several technical, implementation, economic, and transparency concerns that warrant the Board's attention before final adoption.

I. Technical Aspects of Water Safety Standards

A. Transition from Confirmed Detection to Running Annual Average (RAA)

The proposed **shift from "confirmed detection" to "running annual average"** for **determining SAL exceedances (WAC 246-290-315(4)(a))** raises important technical concerns:

1. Delayed Detection of Acute Contamination Events

The **RAA method averages results over four quarters**, which could mask acute contamination spikes. While PFAS are generally characterized by chronic low-level exposure, episodic releases from **industrial sources, firefighting foam deployment, or other point-source events** could result in temporarily elevated concentrations that would be diluted in a quarterly average.

- **Question for the Board:** Has the Department conducted modeling to demonstrate that RAA will not delay identification of sudden contamination events that pose immediate health risks?
- **Recommendation:** Consider maintaining "confirmed detection" for initial exceedances and transitioning to RAA only after the first year of monitoring, or establish a secondary trigger for single-sample results that significantly exceed the SAL.

2. Calculation Methodology for Systems with Limited Data

The CR-102 states that RAA will be "**calculated consistent with other organic contaminants per WAC 246-290-320(6) or other inorganic contaminants per WAC 246-290-320(3).**" However, systems newly testing for PFAS or with limited historical data may not have four quarters of results.

- **Question for the Board:** How will RAA be calculated during the initial year when systems have fewer than four quarters of data? Will a single high-quarter result trigger notification requirements during this period?
- **Recommendation:** The final rule should explicitly address the transition period calculation method and provide clear guidance for systems with incomplete data sets.

B. PFAS Mixture Hazard Index

The introduction of the **Hazard Index as a unitless metric** combining HFPO-DA, PFBS, PFHxS, and PFNA is scientifically sound and reflects modern understanding of mixture toxicology. However, implementation details require clarification:

1. Analytical Laboratory Capabilities

- **Question for the Board:** Have all certified drinking water laboratories in Washington been surveyed to confirm they can accurately measure all four components (HFPO-DA, PFBS, PFHxS, PFNA) at the concentrations needed to calculate the Hazard Index? The CR-102 mentions **detection limits as a technical limitation** but does not provide specific data on current laboratory capabilities.

2. Operator Training and Calculation Errors

The Hazard Index calculation requires **dividing individual PFAS concentrations by their respective Health-Based Water Concentrations (HBWCs)**. While the **formula is provided in Table 9**, this calculation is more complex than a simple concentration comparison.

- **Recommendation:** The Department should develop standardized spreadsheet tools or calculators for water system operators to ensure consistent and accurate Hazard Index calculations. Training materials should include worked examples and common error scenarios.

3. Public Communication Challenges

A **"unitless" Hazard Index of "1"** is not intuitively understandable to the general public, unlike concentration-based standards measured in ng/L.

- **Recommendation:** Public notification templates (discussed further in Section IV of this document) should include plain-language explanations of what the Hazard Index means and why it protects health.

C. Alignment with EPA Standards

1. Removal of PFBS as Individual Contaminant

The proposed rule **removes PFBS (previously SAL of 345 ng/L) as a standalone contaminant and incorporates it only within the Hazard Index** with an **HBWC of 2000 ng/L**.

- **Question for the Board:** Does this change reflect new toxicological data suggesting PFBS is less harmful than previously understood, or is this purely for administrative consistency with EPA's approach? The CR-102 does not explain the scientific rationale for this change.
- **Recommendation:** The Board should provide transparent documentation of the toxicological basis for removing PFBS as a standalone SAL, especially given that it previously warranted individual regulation.

2. Addition of HFPO-DA (GenX)

The **addition of HFPO-DA** at 10 ng/L is appropriate given its increasing use as a PFOA replacement and emerging evidence of toxicity. This demonstrates the Board's commitment to

addressing substitution chemicals.

II. Implementation Concerns

A. Limited Cost Survey Response Rate

The **Small Business Economic Impact Statement** (SBEIS) relies on cost data from only **25 water systems** (**6 of which provided usable cost estimates**), out of approximately **149 water supply entities in Washington State**. This represents a response rate of approximately **17%**, with only **4%** providing detailed cost information.

1. Statistical Reliability

- **Concern:** The cost estimates showing a **range of $1,035 to $235,257** for first-year compliance are based on an extremely small sample size that may not represent the full spectrum of system types, sizes, and operational contexts across Washington.
- **Question for the Board:** How confident is the Board that these cost estimates accurately reflect the financial burden across all affected systems, particularly very small rural systems that may not have participated in the survey?

2. Non-Response Bias

Systems that did not respond to the cost survey may systematically differ from those that did (e.g., they may lack staff capacity to complete surveys, suggesting they may also struggle with compliance implementation).

- **Recommendation:** The Board should conduct additional outreach to non-responding systems, particularly those serving fewer than 100 connections, to obtain more comprehensive cost data before final adoption.

B. Implementation Timeline and Operator Preparedness

1. Rapid Transition Period

The **proposed rule would be adopted on November 19, 2025**, with the formal **comment period ending October 27, 2025**. This provides limited time for:

- Water system operators to understand the new requirements
- Laboratories to prepare for increased testing demand
- Systems to budget for compliance costs in their next fiscal cycle
- **Recommendation:** Consider a phased implementation approach with:
    - A 6-month grace period for systems to establish baseline RAA calculations
    - Mandatory training sessions for operators on Hazard Index calculations
    - Coordination with certified laboratories to ensure capacity for increased testing volume

2. Guidance Documents and Technical Support

The CR-102 does not reference any implementation guidance documents, standard operating procedures, or technical assistance programs.

- **Question for the Board:** What resources will the Department provide to support water system operators, particularly those at small systems, in implementing these changes?
- **Recommendation:** Before final adoption, the Department should prepare and distribute:
    - Step-by-step guidance for RAA calculations
    - Template spreadsheets for Hazard Index calculations
    - Public notification templates (addressed in Section IV of this document)
    - FAQs addressing common implementation questions

C. Monitoring Requirements and Testing Frequency

The CR-102 states that **the proposed rule "does not change monitoring or treatment requirements"** (page 5). However, lowering SALs from 10-15 ng/L to 4.0 ng/L for PFOA and PFOS will result in more systems exceeding thresholds and therefore triggering monitoring requirements under WAC 246-290-320.

- **Question for the Board:** Has the Department estimated how many additional systems will exceed the lowered SALs and therefore require ongoing quarterly or annual monitoring? This information is critical for accurate cost projections.

III. Economic Impacts

A. Cost Estimates and Affordability Analysis

1. Wide Cost Range and Uncertainty

SBEIS Table 3 shows estimated one-time costs ranging from $0 to $5,000, and **Table 4** shows annual recurrent costs ranging from $0 to $5,000. The prevalence of "$0" or "No Response" entries for several contaminants (PFHxS, PFNA, HFPO-DA, Hazard Index) suggests significant uncertainty in cost projections.

- **Concern:** The actual costs may be substantially higher than estimated if respondents did not fully understand the question or did not anticipate all compliance requirements.

2. Public Notification Costs

The cost analysis estimates quarterly public notification ranging from $18 to $57,565 (**Table 5**, page 7). This represents a **3,198-fold difference** between the smallest and largest systems, yet the analysis concludes there is **no "disproportionate impact on small businesses"** (page 8).

- **Concern:** While the SBEIS correctly notes that **most water systems are not-for-profit**

entities rather than "small businesses," the affordability analysis should still address the disproportionate **per-customer burden** on small systems. A $2,903 average quarterly notification cost represents:

  - For a 50-connection system: ~$14.50 per customer per quarter
  - For a 10,000-connection system: ~$0.29 per customer per quarter

- **Recommendation:** The Board should explicitly analyze per-customer costs and consider:

  - State grant programs to offset notification costs for small systems
  - Standardized notification templates (addressed in Section IV of this document) that reduce design and printing costs
  - Coordinated public education campaigns that reduce the burden on individual systems

3. Treatment Costs Excluded from Analysis

The SBEIS appropriately excludes treatment costs as "outside the scope of this rulemaking" since treatment is not required until federal MCLs take effect in 2029. However, this creates a misleading picture of total costs.

- **Concern:** Systems and their customers should understand that the 2025-2029 period involves testing and notification costs, but systems exceeding SALs/MCLs will face potentially substantial treatment costs beginning in 2029. One survey respondent mentioned $20,000 in filtration costs (footnote 9, page 6).
- **Recommendation:** While treatment costs should not be attributed to this rulemaking, the Board should acknowledge in its final statement that additional costs will be incurred when federal compliance is required, and encourage systems to begin planning for capital improvements now.

B. Cumulative Regulatory Burden

Water systems face multiple concurrent regulatory requirements. The cumulative financial burden of PFAS compliance alongside other drinking water regulations should be considered.

- **Question for the Board:** Has the Department assessed the cumulative cost impact on systems that are simultaneously addressing lead and copper rule revisions, cross-connection control, and other regulatory requirements?

IV. Public Health and Transparency Considerations

A. Strengths of the Proposed Approach

1. Closing the Notification Gap

The emergency rule amendments and proposed permanent changes effectively close the concerning gap that would have eliminated 30-day notification requirements between EPA's MCL adoption (2024) and effectiveness (2029). This is a critical public health protection.

2. Adopting More Protective Standards Early

By lowering SALs to match EPA MCL values now, rather than waiting until 2029, Washington residents will receive earlier notification of elevated PFAS levels. This approach appropriately prioritizes precaution and public health.

3. Addressing Mixture Effects

The Hazard Index approach recognizes that people are exposed to multiple PFAS simultaneously and that mixture effects should be considered. This represents sound toxicological practice.

B. Public Notification and Communication

1. Need for Standardized, Understandable Notifications

WAC 246-290-71006 requires public notification. Given the technical complexity of PFAS, RAA calculations, and the Hazard Index, standardized templates are essential.

- **Recommendation:** The Department should develop and require use of standardized public notification templates that:
    - Clarify what RAA means and why quarterly averaging is used
    - Explain the Hazard Index concept for mixture assessments
    - Provide context about how the detected levels compare to health-based standards
    - Direct consumers to reliable information sources (e.g., DOH website, EPA resources)

2. Proactive Public Education

Many Washington residents are not aware of PFAS, their sources, or their health implications. Public notification during an exceedance event should not be the first time customers learn about these contaminants.

- **Recommendation:** The Department should develop and implement a statewide public education campaign about PFAS in drinking water, including:
    - What PFAS are and where they come from
    - Why testing is being expanded
    - What the new standards mean
    - How to interpret test results and public notifications
    - What actions individuals can take (or cannot take) to reduce exposure

3. Transparency in Data Reporting

- **Question for the Board:** Will PFAS testing data be publicly accessible through the Department's website or other platforms? Proactive transparency builds public trust.
- **Recommendation:** Establish a public database of PFAS testing results for all Group A systems, updated quarterly, like systems used in other states.

C. Environmental Justice Considerations

The **Board's webpage** references an "**Environmental Justice Assessment**."

- **Concern:** PFAS contamination often disproportionately affects low-income communities and communities of color located near industrial sites, military bases, and airports where PFAS were heavily used. The Board should ensure that:
    - Notification requirements account for language barriers and limited internet access
    - Cost recovery mechanisms do not disproportionately burden low-income ratepayers
    - Technical assistance is prioritized for systems serving environmental justice communities

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V. Additional Questions and Recommendations

A. Coordination with Source Water Protection

PFAS contamination is fundamentally a source water problem. While this rulemaking addresses detection and notification, long-term protection requires source control.

- **Question for the Board:** How will this rulemaking coordinate with efforts by the Department of Ecology and other agencies to identify and remediate PFAS sources?
- **Recommendation:** The Board should advocate for strengthened source water protection measures, including restrictions on PFAS use in Washington State and enhanced liability for parties responsible for contamination.

B. Future Rule Revisions

PFAS science is rapidly evolving. EPA recently finalized MCLs for six PFAS, but thousands of PFAS compounds exist, and toxicological data on many are limited.

- **Question for the Board:** What is the process for updating **Table 9** if new PFAS emerge as contaminants of concern or if EPA adopts additional MCLs?
- **Recommendation:** The Board should commit to regular review (e.g., every 3 years) of PFAS SALs and MCLs to incorporate new scientific evidence.

C. Private Well Testing

While this rulemaking applies only to Group A public water systems, many Washington residents rely on private wells that are not subject to these requirements.

- **Recommendation:** The Department should develop guidance and resources for **private well owners** about PFAS testing, particularly in areas near known or suspected PFAS sources.

VI. Conclusion

I commend the Washington State Board of Health for taking proactive steps to protect public health by addressing PFAS contamination in drinking water. The proposed amendments demonstrate scientific sophistication in adopting mixture-based assessment (Hazard Index) and alignment with EPA standards while preserving critical state-level protections during the transition period.

However, the technical, implementation, economic, and transparency concerns outlined above suggest that additional work is needed before final adoption:

1. **Technical clarifications** are needed regarding RAA calculations during transition periods, laboratory capabilities, and the scientific rationale for changes to PFBS regulation.
2. **Implementation support** must be enhanced, including operator training, guidance documents, and phased timelines to ensure successful compliance.
3. **Economic analysis** should be strengthened with additional cost data, particularly from small systems, and should address cumulative regulatory burdens and per-customer affordability impacts.
4. **Public transparency** must be improved through standardized notifications, proactive education, and public data accessibility.

I urge the Board to:

- **Extend the comment period** by 30 days to allow for additional input on these complex technical and economic issues
- **Conduct supplemental outreach** to small water systems to obtain more comprehensive cost data
- **Develop and circulate draft implementation guidance** for public review before final rule adoption

I appreciate the Board's consideration of these comments and remain available to provide additional technical input if helpful. Protecting Washington's drinking water from PFAS contamination is a critical public health priority, and getting these rules right will ensure effective protection for all residents.

Respectfully submitted,

David Morton, PhD
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Redmond, WA 98053
davidwardmorton@yahoo.com
206-909-5680