# TCEQ LogoNational Comments

# Executive Review Summary

**TCEQ Proposed Comments On: The United States Environmental Protection Agency’s (EPA) *Draft Interim Recommendations to Address Groundwater Contaminated with Perfluorooctanoic Acid and Perfluorooctane Sulfonate***

**Overview of Proposal:** The EPA issued interim recommendations for risk-based screening levels and preliminary remediation goals (PRGs) for groundwater contaminated with **perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). These recommendations apply to sites undergoing cleanup within federal programs, including CERCLA and RCRA.**

**The recommendations set a combined screening level of 40 ng/L (ppt) and a combined Preliminary Remediation Goal (PRG) of 70 ppt. The 70 ppt PRG is consistent with the EPA Health Advisory issued in 2016 for individual or combined concentrations of PFOA and PFOS. The guidance lays out that screening levels are used for identifying sites that may warrant further assessment and are not considered cleanup levels. Sites with contaminant concentrations less than the screening levels are generally designated for no further action. PRGs are initial cleanup levels that may be adjusted based on site-specific factors or replaced by other promulgated standards, such as maximum concentration levels (MCLs). However, per the guidance, EPA expects that 70 ppt will be used as a drinking water cleanup level at sites where groundwater is used for drinking water.**

**The document only addresses the risk-based screening levels and PRGs and does not provide guidance on technical approaches to assessment or cleanup of PFOA and PFOS.**

**Summary of Comments:**

The TCEQ generally agrees with the interim recommendations to address groundwater contamination with PFOA and PFOS, based on our interpretation of the guidelines, recognizing that the screening levels and preliminary remediation goals (PRGs) are subject to change and may be adjusted for site specific factors when used as cleanup levels or superseded by other Applicable or Relevant and Appropriate Requirements (ARARs). However, the TCEQ is concerned that the draft guidance only addresses PFOA and PFOS and there is no indication of how other Per- Polyfluoroalkyl Substance (PFAS) compounds may be addressed in the future.

The TCEQ also requests clarification on the statement that “EPA expects that responsible parties will address levels of PFOA and/or PFOS over 70 ppt” in situations where groundwater is being used for drinking water. This statement does not seem consistent with EPA identifying 70 ppt as a PRG, since final cleanup values may be higher than a PRG as suggested in the draft guidance. Additionally, in the absence of a federally promulgated standard, it is not clear how EPA intends to implement this in situations where other state or tribal ARARs or risk-based site-specific information are available to support cleanup to a different level.

While we recognize that EPA has set out a PFAS action plan, the timeline of some critical components has not been clearly outlined. The TCEQ encourages EPA to move forward in an expeditious manner to complete the highlighted action items in EPA’s plan. As Texas and many other states are faced with assessment and cleanup at sites with PFAS contamination, it is important that EPA makes timely progress by providing solutions and strategies to address this issue.

**Lead Office: Office of Waste**

**Internal Coordination: Office of Legal Services, Toxicology, Risk Assessment, and Research Division**

**Office of Legal Services: Margaret Ligarde, Deputy**

**Deputy Director Approval: Brent Wade, Office of Waste**

**Deadline**: Comment period ends on June 10, 2019