

April 23, 2025

Honorable Lee Zeldin
Administrator
US Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Maintaining and Defending EPA’s Hazardous Substance Designations and Drinking Water Standards for Per- and Polyfluoroalkyl Substances (“PFAS”)

Dear Administrator Zeldin:

The undersigned 78 local, state, and national organizations submit this letter in support of the EPA’s final rules designating perfluorooctane sulfonate (“PFOS”) and perfluorooctanoic acid (“PFOA”) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”)¹ and establishing drinking water standards for six PFAS, including PFOA and PFOS, under the Safe Drinking Water Act (“SDWA”).² These “forever chemicals” contaminate thousands of communities across the country and threaten the health of millions of people, including infants and children. EPA’s hazardous substance designations and drinking water standards help address that threat by establishing necessary limits on the PFAS in our tap water, promoting the remediation of contaminated sites and groundwater plumes, and providing critical information about PFAS releases and exposures. As you are likely aware, both rules are currently facing legal challenges, and both sets of cases have been stayed at EPA’s request. Consistent with this Administration’s commitment to provide “clean air, land, and water for every American,” we urge you to stand behind the PFAS hazardous substance designations and drinking water standards and to oppose any efforts to weaken, defer, or eliminate them.³

PFAS contamination is an urgent and a bipartisan public health concern, as you know well from your participation on the Congressional PFAS Task Force during your service in the U.S. House of Representatives. PFOA and PFOS are linked to a broad range of harms, including multiple types of cancer, low birth weight, high cholesterol, reduced vaccine response, liver damage, and pregnancy-induced hypertension and preeclampsia. The other PFAS for which EPA has established drinking water standards—perfluorohexane sulfonic acid (“PFHxS”), hexafluoropropylene oxide dimer acid and its ammonium salt (“GenX”), perfluorononanoic acid (“PFNA”), and perfluorobutane sulfonic acid (“PFBS”)—are associated with many of those

¹ Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances, 89 Fed. Reg. 39,124 (May 8, 2024).

² PFAS National Primary Drinking Water Regulation, 89 Fed. Reg. 32,532 (Apr. 26, 2024).

³ EPA, *EPA Administrator Lee Zeldin Announces EPA’s “Powering the Great American Comeback” Initiative* (Feb. 4, 2025), <https://www.epa.gov/newsreleases/epa-administrator-lee-zeldin-announces-epas-powering-great-american-comeback>.

same health effects. Even trace amounts of these PFAS can cause severe health risks, yet millions of people have one or more of these chemicals in their drinking water and virtually everyone in the country has PFAS in their blood. Because they can build up in the body, travel freely in the environment, and have been underregulated for decades, PFAS present a public health crisis to millions of Americans from coast to coast.

PFAS contamination is widespread, extending far beyond the industrial facilities, military bases, and airports where PFAS have historically been released. As a result, communities and local authorities in nearly every state are facing severe health and economic burdens. In [southeastern North Carolina](#), for example, PFAS released upstream by a Chemours facility have contaminated large portions of the Cape Fear River, which is the drinking water source for [500,000 people](#). [Tucson, Arizona](#); [Brevard County, Florida](#); [Warminster, Pennsylvania](#); [Belmont, Michigan](#); [Merrimack, New Hampshire](#) and other communities face similar crises, including several within your home state of [New York](#).

The PFAS drinking water standards will protect these communities and others by implementing the first national limits on six widespread and highly toxic PFAS in drinking water. According to EPA's analyses, the standards will prevent thousands of premature deaths, avoid tens of thousands of serious illnesses, and protect up to 105 million people from unsafe levels of PFAS in their drinking water.

In addition to defending and enforcing its drinking water standards, EPA must use its authority under CERCLA to promote the remediation of PFAS contamination sites and hold polluters responsible for the clean-up costs. Public funds to remediate contaminated sites are limited, and many communities lack the resources needed to remove PFAS from their water and soil. Consistent with CERCLA's "polluter pays" policy, the hazardous substance designations ensure that those responsible for releasing PFOA and PFOS are paying for cleanup, as opposed to impacted communities and federal taxpayers.

The hazardous substance designations also allow impacted communities and landowners to recover the costs associated with their PFAS remediation and treatment. Currently, a New Mexico dairy farm is using CERCLA to recover the costs of remediating PFAS released from two air force bases, and the City of Wausau, Wisconsin is using CERCLA to pursue cost recovery from private parties that contaminated its drinking water supply.

Taxpayers should not be responsible for cleanup costs, but they should be privy to where industries are releasing these toxic chemicals. Under EPA's designations, new reporting requirements for PFOA and PFOS will do just that by providing useful data accessible to EPA, other federal agencies, and the public. Without the designations in place, this information would cease to exist. The designation of PFOA and PFOS as hazardous substances protects communities by putting them on notice of potential PFAS exposure, so they can take action to protect themselves.

Finally, addressing the PFAS crisis will require the involvement and leadership of EPA scientists. EPA's Office of Research and Development ("ORD") plays a critical role in investigating PFAS toxicity, exposures, and PFAS remedial and destruction technologies, and the PFAS drinking water standards and hazardous substance designations relied on the work of ORD scientists. EPA's [PFAS Strategic Roadmap](#) and the first Trump Administration's [PFAS Action Plan](#) both recognize the critical role of ORD in PFAS research. Thus, in addition to defending and maintaining the PFAS hazardous substance designations and drinking water standards, EPA must preserve ORD's role in coordinating and leading the Agency's scientific research and reject harmful cuts to ORD's budget and staffing.

As the first pillar of its Powering the Great American Comeback Initiative, this Administration recognized that "every American should have access to clean air, land, and water."⁴ For the tens of millions of Americans who are exposed to PFAS in their drinking water and soil, the PFAS drinking water standards and hazardous substance designation provide the foundation for that pillar. We urge you to maintain and defend those life-saving rules.

Respectfully submitted,

Alaska Community Action on Toxics
Alliance of Nurses for Healthy Environments
Atchafalaya Basinkeeper
Bitterroot River Protection Association
Black Warrior Riverkeeper
Black-Sampit Riverkeeper
Buffalo Niagara Waterkeeper
Buxmont Coalition for Safer Water
Center for Environmental Health
Chautauqua-Conewango Consortium, A Waterkeeper Alliance Affiliate
Choctawhatchee Riverkeeper
Citizens for Safe Water Around Badger
Clean Water Action
Clean Wisconsin
Columbia Riverkeeper
Communities for a Better Environment
Congaree Riverkeeper
Consumer Reports
Delaware Riverkeeper Network
Earthjustice
Environmental Protection Network
Environmental Working Group
Fairfield Water Concerned Citizens

⁴ EPA, *EPA Administrator Lee Zeldin Announces EPA's "Powering the Great American Comeback" Initiative* (Feb. 4, 2025), <https://www.epa.gov/newsreleases/epa-administrator-lee-zeldin-announces-epas-powering-great-american-comeback>.

Fight for Zero, Inc
Food & Water Watch
For Love of Water (FLOW)
Fountain Valley Clean Water Coalition
Global Family Legal Services
Grand Riverkeeper
Hackensack Riverkeeper
Hands OFF the Hudson
Humboldt Waterkeeper
League of Conservation Voters
Los Angeles Waterkeeper
Merrimack Citizens for Clean Water
Military Poisons
Milwaukee Riverkeeper
Move Past Plastic
National PFAS Contamination Coalition
National Wildlife Federation
Natural Resources Defense Council
Newburgh Clean Water Project
North Carolina Conservation Network
Ogeechee Riverkeeper
Oregon Environmental Council
Passaic River Coalition
Peconic Baykeeper
Penobscot Bay Waterkeeper
Peoria Riverkeeper
PfoaProject NY
Potomac Riverkeeper Network
Riverkeeper
S.O.H2O Save Our Water
Safer States
San Diego Coastkeeper
Save the Dunes
Seneca Lake Guardian, A Waterkeeper Alliance Affiliate
ShoreRivers
Slingshot
South Carolina Indian Affairs Commission/Idle No More SC
Southern Environmental Law Center
Spokane Riverkeeper
St. Johns Riverkeeper
Tar Creekkeeper
Testing for Pease
The Fort Stops PFAS
The Watershed Center Grand Traverse Bay
Three Rivers Waterkeeper
Title Track

Tualatin Riverkeepers
Tucson's Mothers for Safe Air and Safe Water
Vermont Natural Resources Council
Waterkeeper Alliance
Waterkeepers Chesapeake
West Virginia Rivers Coalition
Wisconsin Conservation Voters
Wisconsin's Green Fire, Inc.
Wurtsmith Community RAB, Oscoda MI

cc: Barry Breen
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