STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING

GRETCHEN WHITMER
GOVERNOR

LIESL EICHLER CLARK
DIRECTOR

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United States Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

To Whom It May Concern:

SUBJECT: Docket ID No. EPA-HQ-OLEM-2019-0229

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), in collaboration with the Michigan Department of Health and Human Services (MDHHS), hereby provides comments regarding the draft guidance document, "USEPA Draft Interim Recommendations to Address Groundwater Contaminated with Perfluorooctanoic Acid and Perfluorooctane Sulfonate" (Guidance).

We appreciate the United States Environmental Protection Agency (USEPA) developing the Guidance. It is a positive step for addressing contamination with per- and polyfluoroalkyl substances (PFAS). As described in the comments below, the Guidance however is not adequate to fully address key issues. We encourage the USEPA to make it more comprehensive and protective of public health.

Identification and Characterization

How the contamination is identified and characterized is critical to effective screening and remediation of PFAS contamination. Having standards for doing that is especially important for PFAS contamination given our limited understanding of the environmental transport and fate of PFAS and the lack of consistency in the sampling and analytical methods used. The USEPA should take this opportunity to employ the Guidance as a mechanism to begin establishing recommendations for the following:

1. The appropriate sampling protocols, procedures, or best practices for PFAS-contaminated groundwater, surface water, drinking water, soil, and surface water foams.

2. The appropriate analytical methods for PFAS in the various media.

3. Remedial investigations of PFAS contaminated sites, especially to ensure any offsite migration of contamination is adequately characterized.

Screening Levels

Screening levels should afford a high degree of confidence that the public and environment are not threatened by PFAS contamination migrating offsite in groundwater used for drinking water or venting to surface water. The 40 ng/L screening level for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) individually raises the following concerns:

1. Michigan's Science Advisory Board found that observational epidemiology literature supports the need for drinking water values below the USEPA Lifetime Health Advisory of 70 ng/L PFOA and PFOS, individually or in combination.[1]

2. The recommended screening level in the Guidance is higher that the values supported by other agencies, including the Agency for Toxic Substances and Disease Registry (ATSDR).[2] The ATSDR calculated new estimates of toxicity (Minimal Risk Levels or MRLs) for PFOA and PFOS that are lower than the reference dose (RfD) used by the USEPA to support the 40 ng/L screening level.

3. Additional PFAS are not included in the draft Guidance. The USEPA previously developed a provisional peer-reviewed toxicity value for perfluorobutane sulfonate (PFBS) and ATSDR has MRLs for perfluorononanoic acid (PFNA) and perfluorohexane sulfonate (PFHxS). The USEPA interim guidance for the screening level is based on use of a HQ of 0.1 calculated using the typical USEPA Regional Screening Level (RSL) process.[3] It is not clear why these additional sources of toxicity values were not used for calculating RSLs.

4. The MDHHS, at ATSDR's recommendation, is using MRLs for evaluating the public health risk of drinking contaminated water. Approximately 2.5 million Michigan residents are on private wells for drinking water. The 40 ng/L screening level is significantly higher than the public health drinking water screening levels used for public health consultations for those private well owners in Michigan (PFOA = 9 ng/L, PFOS = 8 ng/L).[4]

5. The RSLs don't consider relative source contribution and using that process to establish a screening level of 40 ng/L to represent a HQ of 0.1 along with the Lifetime Health Advisory of 70 ng/L in drinking water seems inconsistent.

[1] https://www.michigan.gov/documents/pfasresponse/Science_Advisory_Board_Report_641294_7.pdf
[2] https://www.atsdr.cdc.gov/pfas/mrl_pfas.html
[3] https://www.epa.gov/risk/regional-screening-levels-rsls-users-guide#toxicity
[4] https://www.michigan.gov/documents/pfasresponse/MDHHS_Public_Health_Drinking_Water_Screening_Levels_for_PFAS_651683_7.pdf

Preliminary Remediation Goal

The Preliminary Remediation Goal of 70 ng/L PFOA and PFOS does not account for necessary protections when groundwater is venting to surface water. Michigan's surface water protection standard, which recognizes risk of bioaccumulation in fish that may be consumed by humans, is 12 ng/L (or 11 ng/L when the surface water is drinking water source).

Thank you for the opportunity to offer these comments. Please contact me if you have any questions.

Sincerely,

Steve Sliver
MPART Executive Director
517-290-2943

cc: Mr. Kory Groetsch, MDHHS
Ms. Liesl Clark, Director, EGLE
Mr. Aaron Keatley, Chief Deputy Director, EGLE
Mr. Mike Jury, EGLE