

December 1, 2021

Dr. Alison Cullen
Chair
EPA Science Advisory Board
Washington, DC 20460

Re: <https://sab.epa.gov/ords/sab/f?p=100:19:4953475337192:::RP,19:P19 ID:963#doc>

Dear Dr. Cullen:

The undersigned organizations, composed of companies, trade associations, and other stakeholders, write regarding the Environmental Protection Agency (EPA) Science Advisory Board's (SAB) November 16, 2021 release of the proposed approaches to deriving maximum contaminant levels (MCL) goals for PFOA and PFOS, for quantifying the benefits of establishing MCLs for these two substances, and for assessing mixtures of PFAS under the Safe Drinking Water Act. We urge the SAB to revise its plan for reviewing these lengthy and complex documents to allow for a more robust and transparent process that provides adequate time for stakeholder input and to provide Board members with the opportunity to consider the Agency's response to the input received.

In order to allow for a comprehensive evaluation of the draft approaches and to further the integrity of the SAB review process, we recommend that –

- The deadline for comments on the draft documents be extended by at least 60 days to provide a meaningful opportunity for the public to offer scientific comment to the SAB panel prior to the panel members' deliberations; and
- The schedule of public meetings and internal discussions be extended past mid-January 2022 to promote a comprehensive evaluation of EPA's draft scientific analysis and public confidence in the SAB's recommendations and ultimately any EPA standard based on the SAB's report.
- The Office of Water develop responses to stakeholders' comments and that those responses be made available to Board members as part of the review process.

A more transparent and extended schedule will allow the public to better assist the SAB with relevant comments. Normally, public comments best inform SAB panels when they are presented early in the panel's review so that the panelists can consider this information in the course of their review. The public cannot provide meaningful input to the SAB within the 30-day timeframe, particularly considering the nearly 2,000 pages of analysis and detailed modeling supporting EPA's draft reports.

The current review process and meeting schedule provides the SAB and the public insufficient time to conduct a comprehensive, independent peer review of EPA's extensive draft analysis. The SAB panel has meetings announced for a one-month period. This review period is much shorter than comparable SAB reviews and is insufficient for a probing review of the reports. The SAB should publicly announce a series of subsequent meetings beyond mid-January

to discuss certain components of the draft analyses in advance and allow for adequate public review.

The process and timing EPA has provided the SAB for this review differs substantially from previous and current SAB reviews. For past SAB peer reviews of human hazard assessments for widespread chemicals with complex toxicology, far more time was provided. The SAB's review and meetings spanned approximately one year for EPA's draft human health assessments for dioxin and trichloroethylene (TCE). The dioxin and TCE review process had several benefits. First, SAB members had time to probe and discuss EPA's analysis and the scientific literature, spending time on each of the many adverse outcome pathways in these assessments. Second, these meetings also offered the public an increased opportunity to comment and develop more detailed, scientific and policy comments to assist the SAB with its deliberations. Finally, the public could provide updated comments and analysis in response to the SAB's meetings and discussions. This iterative process is the foundation of science and good public policy.

EPA's November 16, 2021 documents are EPA's first release of draft PFOA and PFOS scientific analysis since 2016, and the first opportunity for public comment on EPA's PFAS analysis since 2014. It is reasonable that the SAB review of the draft PFOA and PFOS assessments should extend well beyond the 30 days currently indicated to conduct the same level of independent review as either the dioxin and TCE review or current Integrated Risk Information System (IRIS) assessments

Our coalition supports a national drinking water standard to replace the patchwork of current state approaches that will accelerate clean-ups of PFOA and PFOS in communities across the United States. The MCL process must be based on sound science and address risks to public health and the environment. While we do not expect states to stop what they are doing, the business community needs the regulatory certainty a national MCL will bring. The SAB's important work is a critical element of the development of a scientifically sound MCL.

Therefore, we again urge the SAB to extend the original time period for public stakeholder engagement to increase the scientific transparency and rigor of this process.

We stand ready to assist you as this process progresses.

Sincerely,

Airlines for America
American Apparel & Footwear Association
American Chemistry Council
American Coatings Association
American Forest & Paper Association
American Fuel and Petrochemical Manufacturers
American Petroleum Institute
Flexible Packaging Association
Fluid Sealing Association

National Association of Chemical Distributors
National Association of Printing Ink Manufacturers
National Association for Surface Finishing
National Council of Textile Organizations
National Oilseed Processors Association
Plastics Industry Association
PRINTING United Alliance
U.S. Chamber of Commerce