SUGGESTED TALKING POINTS – BIOSOLIDS and PFAS – MAY 2019

ELEVATOR SPEECH: The water sector is closely following concerns about PFAS and continuing to rely on the current science in its response. That science shows no significant health risk from human exposure to biosolids and that contamination of surface or ground water from biosolids is very unlikely. We urge federal and state regulators to focus on stopping these chemicals at their source through appropriate controls on industrial and other uses – before they enter the sewer system or the environment – and to consider the impacts of new policies or laws on utilities. The water sector is committed to understand more about PFAS and supports further research.

EXPANDED MESSAGES:

Biosolids are beneficial for our economy and environment.
Biosolids enhance soil health, recycle nutrients, sequester carbon, reduce fertilizer and pesticide use, strengthen farm economies, restore vitality to degraded lands, and put to productive use residuals that every community has to manage.

Federal, state, and local governments support biosolids recycling.
U.S. EPA, USDA, and FDA all support biosolids recycling. Every U.S. state and Canadian province regulates and allows biosolids use on soils. Hundreds of communities recycle their biosolids and approximately 60 percent of U.S. wastewater solids are applied to soils. Biosolids have been widely used on farms and other lands across North America for decades.

Decades of robust science show biosolids to be safe.
Many major land grant universities have studied biosolids use on soils and accept the practice, finding little risk when used according to regulations. Thousands of research publications over 45 years and two major reviews by the National Academy of Sciences have found biosolids use on soils presents "negligible risk" and that "there is no documented scientific evidence that federal regulation has failed to protect public health," although ongoing research is recommended to address uncertainties.

The water sector is following concerns about PFAS, including the most common PFOA and PFOS.
Water utilities are on the front lines of environmental protection and are committed to ensuring the safety of the nation's waters. The water sector shares concerns about the presence of PFAS compounds in the environment and is encouraged by the growing body of information that will help make prudent, practical management decisions.

Human PFAS exposure from biosolids is unlikely and minimal.
Risk assessments by states (including Maine, New Hampshire, New York, and Vermont) have determined that direct contact, inhalation, or ingestion of typical biosolids and other recycled residuals pose no significant health risk, including from the traces of PFAS they contain. Typical levels of PFAS in modern residuals are approximately 10 times less than the most stringent direct contact standard for soils, which is 300 ppb in Maine and Vermont. And, when biosolids are applied to soils, they are diluted, typically 200 times, further reducing potential exposure.

PFAS in biosolids are unlikely to impact ground and surface water.
Research and investigations by state regulators indicate that typical biosolids with no direct large industrial inputs are unlikely to impact ground- and surface waters at levels above U.S. EPA's health advisory level for drinking water (70 ppt).

Industrial discharges are responsible when there is a rare case of higher levels of PFAS in biosolids.
Only in a few worst-case scenarios have wastewater and biosolids contributed to PFAS water contamination at levels of concern (e.g. near or above 70 ppt in water). These rare cases involved ongoing, large discharges to the sewers from industrial facilities using significant volumes of PFAS. In these rare situations, PFAS levels in wastewater and biosolids have been reduced efficiently by stopping their discharges through industrial pretreatment requirements and other source controls.

The focus needs to be on addressing industrial discharges of PFAS.
The water sector supports source reduction and pollution prevention in the case of PFAS, just as it has with other chemicals in the past. Controlling and reducing the prevalence of those PFAS that are of known significant concern must also be addressed through federal laws and regulations that prevent their use in commerce and/or release to the environment. Those who manufacture these chemicals should be responsible for any needed remediation and the ultimate elimination of PFAS from uses that pose a threat to the environment.

The water sector is working with federal and state regulators to focus on sources.
The water community is committed to working closely with federal and state regulators to ensure that those manufacturers that are placing or have placed PFAS into the environment are ultimately responsible for the cost of removing and remediating PFAS from the environment. The water sector supports appropriate additional legislation and/or regulation to do this.

- NACWA and WEF members are the primary implementers of the National Pretreatment Program and have been involved in EPA and state efforts to address PFAS contamination. Pretreatment programs must be empowered and supported with resources to put in controls where necessary.
- NACWA and WEF urge EPA to develop a federal response that appropriately reflects the risks posed by PFAS, close unresolved scientific gaps, and evaluate regulatory options to target the sources of PFAS and the responsible disposal of contaminated concentrations of PFAS.
- NACWA and WEF urge Congress to 1) Support adding protections against PFAS contamination to TSCA requirements; 2) Empower the CWA pretreatment program and ensure utilities have the necessary authority to address PFAS at the source; 3) Clearly exclude wastewater effluent and biosolids from CERCLA liability related to PFAS; and 4) Give EPA the resources to better understand the risks posed by PFAS chemicals to public health and the environment.

The water sector supports continued research into the science of PFAS and biosolids.
Water utilities are committed to better understanding how PFAS may be entering wastewater treatment systems and impacting final products. Utilities were not designed to treat or remove PFAS, but they are prepared to – and have already begun to – study and assess impacts on facilities, discharges, and residuals like biosolids. Where PFAS have been introduced into the environment, a rational, practical, and scientifically-based approach should be used to address them.

Municipalities and water utilities cannot be required to bear the burden of addressing PFAS.
Municipalities and water utilities have not created the PFAS concerns and cannot be expected to bear the costs involved in addressing them. Regulatory authorities and lawmakers at the state and federal level need to consider the practicalities and impacts on municipalities and utilities of any policies, laws, and regulations related to PFAS.

The most effective reduction in exposure to PFAS came from phase-out by EPA
The resulting reduction in potential human health risk to the U. S. population is clearly documented by studies by the Centers for Disease Control.

Disclaimer: This document was prepared by the Water Environment Federation and National Association of Clean Water Agencies for use by their members. This document is not intended for external distribution and provides only suggested talking points to help the water sector as it engages on this issue in their communities.