Sammamish Plateau Water

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VIA EMAIL (PDF) TO CHEMACTIONPLANS@ECY.WA.GOV

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State Department of Ecology
State Board of Health
State Department of Health

Re: Comments on Draft PFAS Chemical Action Plan

The Sammamish Plateau Water and Sewer District (District) has reviewed the background material soliciting comments regarding the draft Per- and Polyfluoroalkyl Substances (PFAS) Chemical Action Plan (CAP). The District is offering the following comments as part of the public comment period:

Executive Summary

Page 9, the Executive Summary, and the CAP in general, fails to identify PFAS has been detected in reclaimed water proposed for distribution and introduction to the environment by the King County Wastewater Treatment Division.

Page 11, Section 1.1 states “timely mitigation.” The CAP should define timely as PFAS is consistent in the environment. Also in Section 1.1, the CAP accurately identifies that without funding appropriated for mitigation to public water systems, their customers will ultimately absorb mitigation and remediation costs. Public water systems should not be placed in the position of bearing the remediation costs for PFAS contamination where they had no involvement in the release of PFAS into the environment.

Page 11, Section 1.1 references mitigation alternatives to include finding and financing an “alternative water source.” Department of Ecology (DOE) should recognize this is not feasible or difficult in closed basins. In closed basins the issuance of new water rights is virtually impossible.

Page 11, Section 1.1 recommends the use of Drinking Water State Revolving Funds for mitigation. Any mitigation programs should be grant oriented and not loans, since the public utility and ratepayers did not cause the contamination. Additionally, a recommendation under Section 1.1 references the impacts to public water systems who are required to issue a “Do Not Use” order as a result of PFAS contamination. The PFAS CAP should recognize that a “Do Not Use” order is subject to Department of Health (DOH) oversight, and the proposed CAP generally fails to recognize and align with proposed DOH rules. Coordination and alignment between DOH and DOE is essential to provide clarity and effective PFAS administrative rules.

Page 13, under Recommendation in Section 1.2, the CAP recognizes the need for DOE and DOH to align efforts. Again, this is essential for effective regulatory oversight and clarity for affected water systems.

Page 13, Section 1.2 proposed an action for DOE to provide remediation funding to public water systems from the Safe Drinking Water Action Grant program to address PFAS contamination in drinking water. The District supports the use of grant funding as opposed to loans since a loan program will shift remedial costs to ratepayers of public drinking water systems.

Page 13, Section 1.2, the proposal for DOE to prioritize mitigation and clean up on the basis of the number of people impacted, the concentration of the PFAAs in the drinking water, and vulnerable populations is subjective. Objective criteria should be established while noting affected public water systems may have local standards for considering the need for PFAS mitigation.

Page 15, Section 2.0 references DOE's support for PFAS groundwater contamination investigation in the City of Issaquah. The reference should further identify that the PFAS release has impacted both the City of Issaquah and Sammamish Plateau Water and Sewer District by contaminating the Lower Issaquah Valley Aquifer.

Page 15, Section 2.1 recommendation includes DOE using the existing authority under MTCA to develop clean up levels based upon the State Board of Health's (SBOH) proposed drinking water standards and evolving rules. This recommendation further validates the importance of alignment and coordination between DOE, DOH, and SBOH. Additionally, DOE should establish regulations which prohibit any PFAS discharges in the environment where the known source exceeds the DOH's proposed State Action Level (SAL). DOE should go beyond "considering" development of clean up levels. Rather, it should require development of clean up levels.

Page 16, Section 2.1 indicates DOE proposes to provide information to interested parties of cleanup efforts. This recommendation should be revised that information be automatically provided to local water systems impacted or potentially impacted by the contamination.

Beginning on page 17, Section 2.3 proposes to prevent PFAS releases from firefighting foam use and manufacturing. The CAP should likewise consider prevention of releases associated with wastewater treatment plant sludge, effluent and reclaimed water. The corresponding list of potential sources identified in Section 2.3 should include sludge, effluent and reclaimed water.

Page 18, Section 2.3, DOE should consider adding an additional recommendation of establishing a registry of known sites where PFAS-containing AFFF was used for fire suppression and training to require fire department transparency and reporting.

Page 18, Section 2.3, in addition to working proactively with industry, manufacturing, and businesses to eliminate PFAS releases to the environment, DOE should likewise evaluate potential risks from sludge, effluent, and reclaimed water and prohibit any releases that exceed the DOH's SAL or DOE limits.

Page 19, Section 2.3, consideration should be given to require costs for disposal to be borne by the industries manufacturing or handling PFAS. Under “Cost”, the agencies that have stockpiled should be responsible for paying for the disposal.

Page 24, Section 4.1 evaluation of PFAS in wastewater treatment should include the evaluation of PFAS in reclaimed water and prohibition of any future release of reclaimed water to the environment that exceed the DOH’s SAL.

Page 25, Section 4.2 the second phase of the program for groundwater and gaseous emissions should require groundwater modeling.

Page 26, Section 4.3, the District supports all areas of Section 4.3, “Evaluate Washington biosolids management”, in considering the PFAS CAP. The District supports the proposal, but recommends DOE require scientific modeling to assess potential PFAS transfer from biosolids to soil or groundwater and “realistic” exposure and model parameters to be used.

Page 27, the Executive Summary of the proposed CAP recognizes the current initiative of the SBOH’s PFAS rulemaking. This recognition emphasizes the importance of alignment between DOE and DOH.

PFAS Assessment Summary

Page 40, Health (Appendix 7) references several Washington drinking water sources that have been contaminated near sites of AFFF release. The list only references the City of Issaquah and fails to recognize the Lower Issaquah Valley Aquifer in general. PFAS contamination of the Lower Issaquah Valley Aquifer has also impacted Sammamish Plateau Water and Sewer District (District). Although the impacts to the District do not exceed the Environmental Protection Agency’s (EPA) lifetime health advisory level, they do exceed DOH’s proposed SAL. Additionally, the District recommends that identification of contaminated aquifers and affected public water systems be based upon both EPA’s life time level and the proposed DOH SALs.

Page 42 and 443, in reference to Appendix 10, Economic Analysis, the District requests that the costs incurred by Sammamish Plateau Water and Sewer District for the testing, groundwater modeling, mitigation planning be identified. Testing and modeling costs are in excess of $510,000 and the District is funding an $800,000 project to design a PFAS treatment plant in response to the proposed DOH SAL. Ultimate construction of a PFAS removal treatment plant is estimated to be between $6,000,000 and $7,000,000 dollars. The District has also incurred additional costs to replace water supply from wells that were removed from production due to PFAS contaminant levels.

Draft CAP Recommendations

Page 47, Section 1.1 identifies the Issaquah PFAS Pilot Project which is being administered by Eastside Fire and Rescue and significant level of State supported funding. In any case where State funding is being appropriated for investigation and mitigation, all data and reports should

be transparently shared with interested or affected public water systems. An impacted or interested system should not have to file a public records request to receive data and reports.

Page 53, Section 2.1, the District supports the establishment of clean up levels for soil and groundwater using the SBOH's drinking water standards. However, the District asks DOE to go beyond "considering" clean up levels and that DOE establish clean up levels.

Page 56, Section 2.3 recommends DOE will work to prevent PFAS releases from fighting foam use and manufacturing. To minimize the release of PFAS to the environment, DOE should expand its approach with industry, manufactures, and businesses to include any generator of PFAS products.

Page 65, Section 4.1 proposes evaluation of PFAS and wastewater treatment plant (WWTP) influent and effluent. The proposed CAP should also include evaluation of reclaimed water and prohibit the release if it exceeds DOH's SAL.

Appendix 7: Health

Page 322, Section 7.4 identifies known areas of PFAS contamination in drinking water aquifers, but fails to specifically identify to the Lower Issaquah Valley Aquifer as a known area of contamination for which impacts both the City of Issaquah and Sammamish Plateau Water and Sewer District. Although the District's test results do not exceed EPA's lifetime health advisory limit, they do exceed DOH's proposed SAL.

Page 332, Section 7.4.10, Table 69 fails to incorporate and recognize the interests of Sammamish Plateau Water and Sewer District. Upon learning of contamination affecting City of Issaquah's wells, District follow up to its own UCMR3 test revealed PFAS contamination in District wells located in the Lower Issaquah Valley Aquifer.

Page 354, begins a list of references for Appendix 7 of the draft CAP. The District is listed as a reference, but the District's interests generally not recognized throughout the report.

On behalf of the District, thank you for allowing the District to make comments as part of the rulemaking process.

Sincerely,

John C. Krauss
General Manager

cc: Sammamish Plateau Water Board of Commissioners
Judi Gladstone, Washington Association of Sewer and Water Districts
Ray Hoffman, Cascade Water Alliance