



February 20, 2025

Brandi Echols, Office of Water
Health and Ecological Criteria Division (4304T)
U.S. Environmental Protection Agency
1301 Constitution Ave., NW
Washington, DC 20460

Submitted via Federal eRulemaking Portal: www.regulations.gov

**RE: National Tribal Water Council-Tribal PFAS Working Group (NTWC-TPWG)
Comments on Draft National Recommended Water Quality Criteria for the
Protection of Human Health for PFOA, PFOS, and PFBS -- Docket ID No. EPA-
HQ-OW-2024-0454**

Dear Ms. Echols,

In 2020, the National Tribal Water Council (NTWC) formed an ad hoc working group named the Tribal PFAS Working Group (NTWC-TPWG) to assist in outreach on Per- and polyfluoroalkyl substances (PFAS) to tribes and tribal members and to advocate for inclusion of tribes and tribal lifeways in policy decisions on PFAS risks and risk management. The NTWC-TPWG is supported by and working in collaboration with the National Tribal Toxics Council (NTTC), the Tribal Science Council (TSC), and the Tribal Waste and Response Steering Committee (TWRSC). These tribal partnership groups (TPGs) are all supported by the US EPA.

The NTWC-TPWG members are pleased to submit comments on the Draft Human Health Ambient Water Quality Criteria. The working group supports the publishing of human health criteria for PFAS using the latest scientific knowledge to inform states and tribes when making decisions about water quality.

The NTWC-TPWG recognizes and supports EPA's approach in that it is based on the latest toxicological data and bioaccumulation studies and uses multiple risk assessment approaches for different PFAS. The exposure analysis accounts for multiple sources – drinking water, food, air, and dust.

The Relative Source Contribution (RSC) assumptions may not adequately protect tribal populations. These RSC values rely on generalized exposure models, which may fail to capture the cumulative burden of PFAS exposure that tribes face due to their unique subsistence practices. Currently, EPA's RSC derivations focus primarily on drinking water and fish consumption, with limited consideration of non-water sources such as food, air, and consumer products. However, tribal communities often experience greater PFAS exposure through multiple

interconnected pathways, including higher fish consumption from contaminated lakes, rivers, and coastal waters, traditional diets incorporating wild game, berries, and plants—all of which can accumulate environmental contaminants like PFAS—and occupational and environmental exposures stemming from historical military sites, firefighting foam contamination, and industrial discharges near tribal lands. Without tribal-specific exposure considerations, the current RSC assumptions may significantly underestimate the true risk to tribal communities, leaving them insufficiently protected.

Furthermore, EPA uses a fish consumption rate for the general adult population of 22.0 g/d in their calculation of recommended protective criteria. The use of a general population fish consumption parameter fails to provide adequate levels of protection for sensitive high fish consuming populations such as tribal members. The EPA should specifically provide information on sensitive subpopulation fish consumption rates in the document, so that States and Tribes can use these to establish protective human health criteria. Exposure to PFAS from subsistence and oftentimes treaty protected practices of hunting, fishing, and gathering of foods create additional risks to tribal populations and EPA has a trust responsibility to protect tribal health and natural resources. We are hopeful that EPA will take this recommendation into serious consideration.

On behalf of the NTWC-TPWG, we thank you for the opportunity to comment on the Draft Human Health Ambient Water Quality Criteria. Should you have questions or comments regarding our letter, please contact Page Hingst, TSC, at (402) 857-3347 or Dianne Barton, NTTC Chair, at (503) 887-5370. Or you may contact Elaine Wilson, NTWC Manager, at Elaine.Wilson@nau.edu for any questions regarding the NTWC-TPWG.

Sincerely,



Ken Norton, Chair
National Tribal Water Council



Page Hingst, Region 7 Tribal Rep
Tribal Science Council
Co-Lead, Tribal PFAS Working
Group



Dianne Barton, Chair
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Cc: Holly Galavotti, EPA Office of Water

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