

September 10, 2021

Ms. Mary Lou Soscia  
U.S. Environmental Protection Agency  
805 S.W. Broadway, Suite 500  
Portland, OR 97205

Submitted via email to: [soscia.marylou@epa.gov](mailto:soscia.marylou@epa.gov)

**RE: National Tribal Water Council–Tribal PFAS Working Group (NTWC-TPWG)  
Comments on Promulgation of Tribal Baseline Water Quality Standards Under the  
Clean Water Act**

Dear Ms. Soscia:

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 USEPA.

The NTWC-TPWG members are pleased to submit comments on the Promulgation of Tribal Baseline Water Quality Standards Under the Clean Water Act. One of the questions posed to tribes during EPA’s outreach efforts in July and August 2021 was whether tribes have water quality issues that should be addressed by this potential rulemaking.

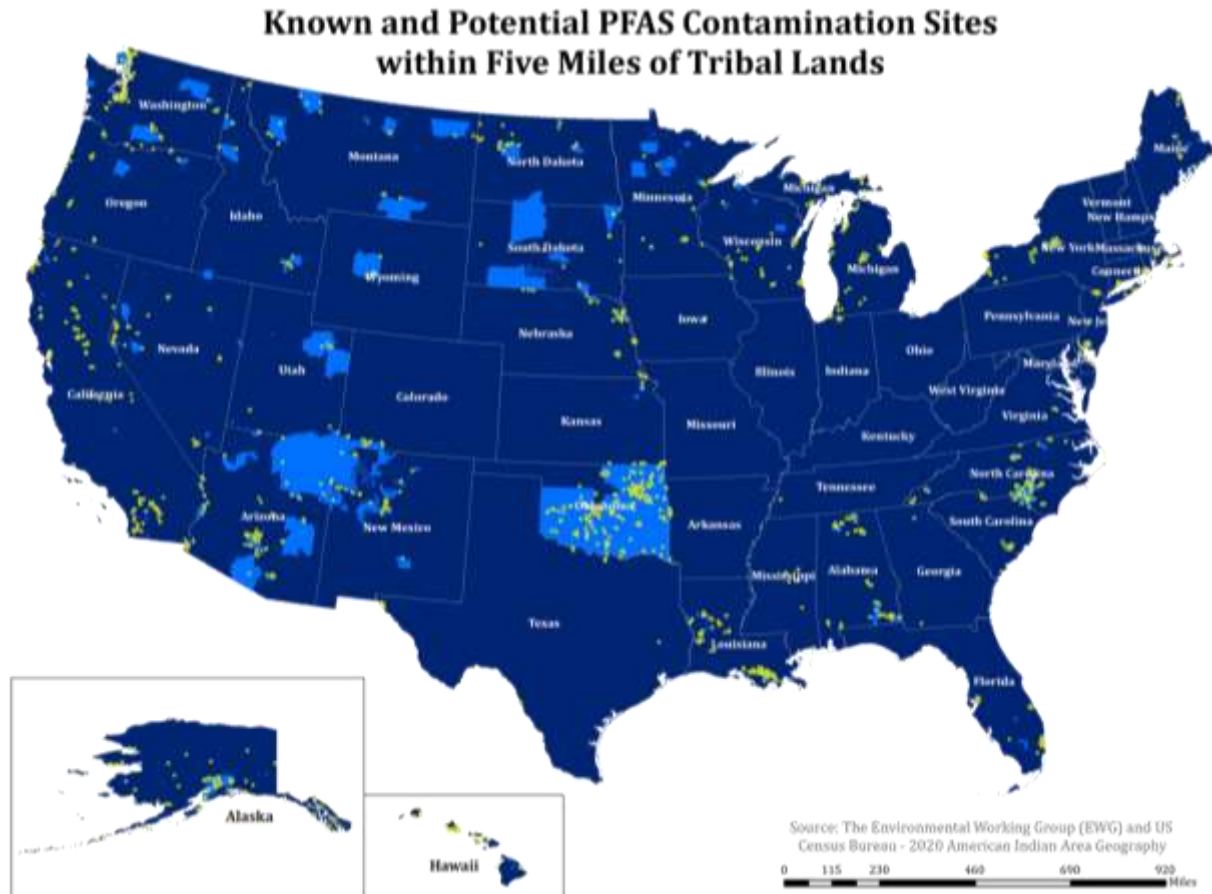
PFAS is known as a “forever chemical” that persists in the environment, bioaccumulates in plants and through the food chain into animals<sup>1</sup> that are important to tribal subsistence, cultural, and ceremonial practices. It cannot be overstated that tribal people have no alternatives in their environmental exposures. Tribes should have the opportunity to include PFAS in their baseline water quality standards if on reservation waters are threatened. While there are no federal standards for PFAS at the present time, many states are moving to protect state waters.

The NTWC-TPWG recommends that the baseline water quality include numeric criteria for PFAS chemicals to ensure protection of designated uses.

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<sup>1</sup> CAP at page 10, “Bioaccumulation of PFAS has been confirmed in marine and terrestrial species, zooplankton and other invertebrates, and fish. Animals do not need to be near sources of PFAS to show bioaccumulation. PFAS have also been shown to be taken up by plants.”

Recently the NTWC-TPWG produced the following map of the intersection of known PFAS contamination in water and tribal lands.



On behalf of the NTWC-TPWG, we thank you for the opportunity to comment on the proposed federal promulgation of baseline water quality standards for Indian reservations. Should you or your staff 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](mailto:Elaine.Wilson@nau.edu) for any questions regarding the NTWC-TPWG.

Sincerely,

Ken Norton, Chair  
National Tribal Water Council

Page Hingst, Vice Chair  
Tribal Science Council



Dianne Barton, Chair  
National Tribal Toxics Council



Mark Junker, Chair  
Tribal Waste & Response Steering  
Committee

Cc: Karen Gude, USEPA Office of Water

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