

June 3, 2026

Thomas Lombardi
U.S. Environmental Protection Agency
Office of Ground Water and Drinking Water
Standards and Risk Management Division
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Submitted electronically via: <https://www.regulations.gov>

RE: U.S. Environmental Protection Agency: Draft Drinking Water Contaminant Candidate List 6 — Docket ID No. EPA-HQ-OW-2022-0946

Dear Mr. Lombardi:

The Association of California Water Agencies (ACWA) respectfully submits comments regarding the U.S. Environmental Protection Agency's (EPA) draft sixth Contaminant Candidate List (CCL 6).¹ ACWA supports EPA efforts to improve drinking water quality by identifying unregulated contaminants in CCL 6. ACWA urges EPA to evaluate contaminants that may warrant future regulatory consideration under the Safe Drinking Water Act (SDWA) utilizing the best available science and transparent, practical, and affordable implementation strategies.

ACWA is the largest statewide coalition of public water agencies in the United States. ACWA represents approximately 470 member agencies that are responsible for delivering about 90 percent of the water to communities, farms, and businesses in California. ACWA represents water management entities in every sector of water supply, including municipal and agricultural water, water recycling, water reuse, wastewater management, and stormwater management. ACWA and its members are dedicated to providing a high-quality, reliable water supply in an environmentally sustainable and fiscally responsible manner.

As you are aware, EPA's CCL—published every five years—is an initial step in the SDWA regulatory process to determine whether to propose a national primary drinking water regulation. Draft CCL 6 includes chemicals, microbes, and contaminant groups like per- and polyfluoroalkyl substances (PFAS) and, for the first time ever, microplastics that are known or anticipated to occur in public water systems.

As EPA finalizes its draft CCL 6 and considers what unregulated contaminants to evaluate to shape future national drinking water standards, ACWA urges EPA to consider realistic, achievable objectives discussed in the following comments.

¹ *Drinking Water Contaminant Candidate List 6—Draft*, 91 Fed. Reg. 17186 (April 6, 2026).
<https://www.govinfo.gov/content/pkg/FR-2026-04-06/pdf/2026-06662.pdf>.

I. Utilize the Best Available Science

ACWA supports EPA's use of the CCL process to identify and evaluate unregulated drinking water contaminants that may warrant future regulation. ACWA suggests EPA ensure that listed contaminants are reviewed using sound science before advancing contaminants from the draft CCL 6 to the rulemaking process and a regulatory determination. As EPA moves forward with development of the final CCL 6 and future regulatory analyses, ACWA urges EPA to maintain a scientific and transparent approach that carefully distinguishes between the presence of a contaminant in our nation's water supply and demonstrated risk through exposure pathways. Any future regulatory actions related to drinking water must use the most current, best available science, which is essential to help water providers like ACWA members supply safe water to customers.

a. PFAS

ACWA appreciates the agency's commitment to prioritizing further evaluation of PFAS—commonly used, manufactured chemicals designed to make many consumer, commercial, and industrial products waterproof, stain-resistant, or non-stick (e.g. textiles, cookware, food packaging, cleaning products, electronics, and firefighting foam) that are highly prevalent in drinking water sources. In the draft CCL 6, EPA proposed listing an inclusive PFAS group due to its extremely broad class of thousands of types.²

EPA points out that due to the large scale of PFAS substances, data is scarce for most PFAS, and that research is ongoing to better understand its impacts, exposure, treatment, and disposal methods. As such, PFAS data and potential concerns continue to evolve with new discoveries. Additionally, states such as California have developed their own PFAS regulations and are likely to revise them as new data and public attention becomes available.

EPA should take a flexible approach for PFAS evaluations. There may be instances where grouping substances is appropriate. However, there may also be instances where an individual listing is necessary. As EPA conducts group or individual evaluations, it should do so in a manner that aligns with states' needs. Specifically, ACWA recommends EPA to prioritize the evaluation of the most prevalent PFAS in water systems that are not already subject to national drinking water regulations.³ For example, in California, other unregulated PFAS were listed in prior UCMRs to require public water systems to perform sample collection and analysis of PFAS that occur at a higher frequency. These include: perfluorohexanoic acid (PFHxA), perfluoroheptanoic acid (PFHpA), perfluorodecanoic acid (PFDA), and 4,8-dioxa-3H-perfluorononanoic acid (ADONA).⁴ This will aid EPA in its decision-making process as it considers what contaminants listed in CCL 6 to include, if any, in future UCMRs on which contaminants to regulate under the SDWA.

² U.S. Environmental Protection Agency: *PFAS Explained* (September 30, 2025). <https://www.epa.gov/pfas/pfas-explained>; See U.S. Environmental Protection Agency's CompTox Chemicals Dashboard, a public, web-based database containing data for thousands of PFAS substances (October 2025). <https://comptox.epa.gov/dashboard/chemical-lists/PFASSTRUCT>.

³ See *PFAS National Primary Drinking Water Regulation*, 89 Fed. Reg. 32532 (April 26, 2024). <https://www.federalregister.gov/documents/2024/04/26/2024-07773/pfas-national-primary-drinking-water-regulation>, where EPA promulgated Maximum Contaminant Levels (MCLs) for PFOA and PFOS at 4.0 parts per trillion (ppt), PFHxS, PFNA, and HFPO-DA (GenX Chemicals) at 10 ppt, and a Hazard Index (HI) of 1 (unitless) for any mixture containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS.

⁴ California State Water Resources Control Board: CA PFAS Timeline (February 4, 2026). https://www.waterboards.ca.gov/pfas/ca_pfas_timeline.html.

b. Microplastics

Microplastics are generally referred to as tiny, synthetic plastic particles five millimeters long or less.⁵ Microplastics range in size and include fragments, pellets, or beads from items including containers, bottles, bags, tires, cosmetics, and personal care products, as well as fibers like those from clothing or fishing nets. Microplastics are found in nearly all aspects of the environment, including drinking water sources; microplastics are discharged into waterways via pathways like wastewater effluent, surface runoff, combined sewer overflows, atmospheric deposition, and biosolid application.⁶

This is the first time EPA will evaluate microplastics as a contaminant group on a national scale. Since this carries the potential for regulation, there is a necessity for EPA to conduct ongoing research regarding microplastics in the environment and especially drinking water sources. EPA even acknowledged that significant data gaps for microplastics exist that will require further research before risks associated with these contaminants can be fully understood. Additionally, uncertainty remains regarding microplastics including federal statutory definitions and size classifications, occurrence levels in drinking water systems, exposure pathways, detection technology, and appropriate and affordable treatment methods.

ACWA urges EPA to turn to California as a resource as the state is and has been conducting microplastics research. For example, California's State Water Board is in the process of implementing drinking water testing strategies focused on microplastics.⁷ Monitors include large community water systems and wholesale water systems that provide water to greater than 100,000 people, and a few select small number of public water systems. This will help obtain data to estimate general occurrence and potential human exposure through drinking water as well as aid efforts that minimize impacts to public water systems. Results from California's monitoring approach, informed by EPA's Unregulated Contaminant Monitoring Rule (UCMR) methodology, can also assist EPA with evaluating microplastic data that guides future federal regulatory efforts.

II. Proactive Measures for Source Water Protection

Source water protection is vital to ACWA member agencies as this helps prevent emerging and legacy contaminants from entering California's water supply. For this reason, ACWA recommends EPA take more proactive measures to identify sources of contaminants and limit their discharges, especially since prevention is more effective and cost-efficient than attempting to clean up pollution. Regulatory frameworks that focus exclusively on drinking water treatment without addressing contamination sources can impose substantial costs on water agencies and ratepayers. Advancing regulatory actions that provide source water protection will also reduce the number of systems with contamination above enforceable drinking water standards. EPA should collaborate

⁵ U.S. Environmental Protection Agency: *Microplastics Research* (March 19, 2026). <https://www.epa.gov/water-research/microplastics-research>.

⁶ National Institutes of Health—National Center for Biotechnology Information: *Microplastics in Drinking Water: A Review of Sources, Removal, Detection, Occurrence, and Potential Risks* (September 15, 2025). <https://pmc.ncbi.nlm.nih.gov/articles/PMC12474263>.

⁷ California State Water Resources Control Board: *Policy Handbook Establishing a Standard Method of Testing and Reporting of Microplastics in Drinking Water* (August 9, 2022). https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/docs/2022/mp-hndbk.pdf.

with other federal agencies and utilize relevant federal programs to address pathways of public exposure of contaminants to support source reduction initiatives.

ACWA also urges EPA to hold entities accountable for contamination they caused rather than passive receivers, known as the “Polluter Pays” principle. Public water systems are often passive receivers of contaminants introduced through various sources such as industrial processes, manufacturing facilities, and wastewater discharges. These water systems remain subject to significant financial and legal liability although they have responsibly managed contaminants like PFAS residuals. For example, current EPA CERCLA regulations—which designated certain PFAS, PFOA and PFOS, as hazardous substances—do not distinguish between passive receivers of a hazardous substance and the manufacturer or polluting entity that introduced it into the environment; any entity that handles, manages, or disposes of PFAS, including water systems that are not the source of PFAS, can still be liable for cleaning it up. Water systems are nevertheless required to remain compliant with applicable laws and regulations. ACWA member agencies and their ratepayers will face a “community pays” outcome that unfairly shifts the clean-up and liability costs onto municipalities and the public they serve unless EPA issues a regulation (or Congress enacts a law) to hold polluters accountable.

III. Engage with Water Systems and State Agencies

ACWA appreciates EPA’s public engagement process for regulatory development as it finalizes CCL 6. While EPA intends to consult with its independent Science Advisory Board before finalizing CCL 6, expected to be signed by November 17, 2026, ACWA urges EPA to also coordinate feedback from others that monitor drinking water sources including entities such as water systems, State, Tribal, and local governments as well as key federal agencies like the United States Geological Survey and U.S. Department of Health and Human Services. Continued, transparent engagement regarding listed contaminant evaluation is critical to maintaining confidence in EPA’s regulatory processes.

ACWA member agencies are extremely familiar with drinking water regulations as they comply and invest millions of dollars to treat contamination, despite water agencies not being the source of contamination. ACWA therefore understands the complexity of regulating drinking water contaminants and encourages EPA to directly engage with water utilities to ensure local data is considered and evaluated regarding CCL frameworks. As water utilities like ACWA member agencies are and will be impacted by EPA drinking water related actions, their engagement in this process is essential to support effective regulatory outcomes.

Additionally, close collaboration with state agencies, particularly in California like the California State Water Resources Control Board, can help avoid conflicting compliance requirements, duplicative efforts, and unnecessary burdens for water providers. Regulatory consistency is essential to ensuring that water and wastewater agencies continue to fulfill obligations to provide a safe water supply.

IV. Agency Resources

A strong and capable EPA workforce is the foundation of effective regulatory processes under SDWA. ACWA recognizes the importance of efficient federal operations. However, ACWA is concerned that the administration's reduction of EPA personnel could create challenges for water providers and others in the regulated community. The loss of experienced EPA staff will undoubtedly diminish technical expertise, knowledge of ongoing projects, local conditions, and historical precedents that will lead to inefficiencies for agency staff as it evaluates drinking water contaminants. A decrease in EPA personnel can result in longer contaminant review times and uncertainty that undermine the CCL process and purpose. Additionally, public water agencies like ACWA's members must still comply with drinking water regulations that depend on proper federal review, oversight, and implementation. As the administration's objectives to evaluate drinking water contaminants to improve drinking water quality increase so will the demand on EPA staff. ACWA strongly encourages EPA to prioritize workforce retention and fill vacancies to limit backlogs and ensure proper evaluations of listed contaminants, especially in high-volume states like California.

V. Conclusion

ACWA appreciates the opportunity to comment and urges EPA to evaluate contaminants that may warrant future regulatory consideration utilizing the best available science and transparent, practical, and affordable implementation strategies. Please let us know if there are further opportunities for ACWA to collaborate on regulatory efforts or if we can provide additional information and resources. If you have any questions or would like to follow up on this matter, please contact ACWA Federal Relations Representative, Caleb Raspler, at calebr@acwa.com or (202) 434-4762.

Respectfully,

A handwritten signature in black ink, appearing to read "Caleb Raspler", is written over a light blue horizontal line.

Caleb Raspler
Federal Relations Representative
Association of California Water Agencies