

July 20, 2026

Jess Kramer
Assistant Administrator
Office of Water
U.S. Environmental Protection Agency
Washington, DC 20460

Re: Extending the Compliance Deadline for the PFOA and PFOS Maximum Contaminant Levels (Docket No. EPA-HQ-OW-2025-1742; 91 Fed. Reg. 29425 (May 20, 2026))

<https://www.federalregister.gov/documents/2026/05/20/2026-10086/extending-the-compliance-deadline-for-the-pfoa-and-pfos-maximum-contaminant-levels>

Dear Assistant Administrator Kramer:

The undersigned organizations appreciate the opportunity to comment on EPA's proposal to extend the compliance deadline for the Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) maximum contaminant levels (MCLs). The business community supports accelerating effective and appropriate cleanup of PFAS in the environment based on the best science and risk management. At the same time, it is essential that EPA's substantive requirements and implementation timelines are workable for public water systems and the many affected communities and ratepayers they serve.

The coalition supports extending the compliance deadline

Understanding that the MCLs remain in litigation (and noting that we agree with points made by parties challenging the MCLs in that litigation), we support EPA extending the compliance deadline to provide regulated entities sufficient time to plan, finance, design, procure, construct, and validate treatment and related infrastructure. For many Safe Drinking Water Act (SDWA) regulated water systems, including Non-Transient Non-Community Water Systems, compliance will require substantial capital investments and sustained operating and maintenance activities over many years. A realistic compliance timeline is necessary to avoid disruptions in service, cost spikes, and other unintended consequences that ultimately undermine both protecting public health and avoiding undue economic burdens on consumers, businesses, and local governments.

EPA should also use the additional time from an extension to promote transparency and collaboration among EPA, federally-delegated state agencies, local utilities, the scientific community, and the private sector — ultimately ensuring that implementation decisions focus resources on the highest identified risks and other important economic considerations, as SDWA requires. This is particularly important in areas where a delegated state agency, EPA, or other federal agency has regulatory oversight that may overlap with or be impacted by decisions pertaining to PFAS and MCL compliance timelines.

Economic and practical impacts underscore the need for additional time

Our economic analysis examining the potential nationwide costs of meeting potential drinking water standards for PFOA and PFOS under the SDWA¹ indicates that costs increase sharply as cleanup levels approach extremely low thresholds. For instance, the estimated costs are as follows: \$600 million for 70 ppt; \$6.5 billion for 20 ppt; \$16 billion for 10 ppt; \$32.5 billion at 4 ppt; and \$59.4 billion at any- or non-detect. The analysis highlights both the magnitude of potential investment and the importance of practicable compliance schedules. In doing so, the cost dynamics reinforce that a deadline extension is warranted to allow for orderly implementation, including time for engineering, procurement, and construction, as well as for utilities and communities to plan for long-term O&M obligations.

Legal durability and SDWA statutory requirements should be addressed

EPA's proposal to have water systems opt into the compliance extension is consistent with the provisions of SDWA and offers a more durable and more legally defensible solution. Once a National Primary Drinking Water Regulation is finalized, water systems must comply within a specified period, which typically is 3 years, often extended to 5 years for capital improvements. Under SDWA Section 1416, EPA or federally delegated states may grant "exemptions" to systems that cannot meet deadlines due to: 1) Economic hardship; 2) Technological limitations; or 3) Other "compelling factors," so long as there is no unreasonable risk to public health.

As our economic analysis reflects, the selection of compliance and implementation targets can also materially change nationwide cost outcomes. EPA should use the additional time provided by an extension to strengthen the administrative record as

¹ <https://www.uschamber.com/regulations/potential-costs-of-meeting-sdwa-standards-for-pfoa-and-pfos>

appropriate, improve clarity for regulated entities and reduce unnecessary economic burdens.

Recommendations

The undersigned respectfully urge EPA to:

- Finalize an extension that provides sufficient time for real-world design, financing, procurement, construction, and commissioning of compliance solutions.
- Use the additional time to ensure implementation is grounded in sound science, risk-based decision-making, and transparent engagement with stakeholders. EPA should consider revisiting the MCL of 4 ppt for PFOA and PFOS and the flawed underlying science.
- Ensure the rulemaking record and implementation approach align with SDWA statutory requirements, including appropriate consideration of case-by-case challenges, benefits, costs, and practical impacts to improve durability.

We stand ready to engage constructively with EPA as it finalizes this action.

Sincerely,

American Fuel and Petrochemical Manufacturers
American Petroleum Institute
Environmental Technology Council
National Asphalt Pavement Association
National Council of Textile Organizations
National Mining Association
PRINTING United Alliance
U.S. Chamber of Commerce
Water Quality Association