

# United States Senate

WASHINGTON, DC 20510-3205

May 9, 2024

The Honorable Jeff Merkley  
Chair  
Appropriations Subcommittee on Interior,  
Environment & Related Agencies  
Washington, DC 20510

The Honorable Lisa Murkowski  
Ranking Member  
Appropriations Subcommittee on Interior,  
Environment & Related Agencies  
Washington, DC 20510

Dear Chair Merkley and Ranking Member Murkowski,

As you develop the Fiscal Year (FY) 2025 Interior, Environment, and Related Agencies Appropriations bill, we urge you to include \$20 million in additional dedicated funding for the Environmental Protection Agency's (EPA) Office of Water to complete and accelerate the implementation of effluent limitation guidelines (ELGs) for PFAS discharges under the Clean Water Act.

PFAS are a class of synthetic chemical substances that have been manufactured for decades despite evidence of their health risks and extraordinary persistence in our bodies and the environment. The strength of the carbon-fluorine bond found in PFAS chemicals, which is what makes them useful in a variety of consumer products and industrial processes, is also the reason the chemicals take so long to break down and thus accumulate over time. When polluters release PFAS into the environment, it is difficult and expensive to contain and remediate. For example, PFAS in waste sent to sewage treatment works will often pass through the treatment process, remaining in treated water and biosolids. From there, they can contaminate additional ecosystems, drinking water sources, and the food chain. This is already happening in thousands of communities across the country, causing a nationwide PFAS contamination crisis.

Thankfully, the Clean Water Act includes a powerful mechanism that EPA can use to stop the flow of PFAS into our nation's waters and ensure that manufacturers bear the costs of preventing and controlling PFAS contamination. Specifically, the Clean Water Act directs EPA to establish ELGs for industrial categories that discharge pollutants like PFAS. ELGs are developed on an industry-by-industry basis and are responsible for preventing billions of pounds of pollutants from being discharged into our waters annually.

Unfortunately, EPA has failed for decades to establish any ELGs to address PFAS. That said, EPA is finally taking steps to do so. EPA's 2021 PFAS Strategic Roadmap (Roadmap)

acknowledged the importance of addressing PFAS pollution at the source and set timelines by which the agency plans to restrict PFAS discharges from multiple industrial categories. In January 2023, EPA issued its Effluent Guidelines Program Plan 15 (Plan 15), which further detailed the agency's focus on addressing certain industrial PFAS discharges through ELGs.

We applaud EPA for its ongoing commitment to reducing discharges of PFAS through the promulgation of ELGs. However, we are concerned that EPA lacks the resources it needs to complete this critical work. EPA has already experienced delays in meeting the timelines established in the Roadmap for establishing ELGs for certain industrial categories that discharge PFAS, and it is likely that the agency will continue to miss its deadlines unless the necessary levels of funding are provided. Thus, to prevent any further delays, we ask that your budget request for FY 2025 include sufficient funding for EPA to meet the deadlines set in the Roadmap and Plan 15.

We also believe that the scale and severity of the PFAS contamination crisis warrants a more urgent approach than EPA is currently taking. Even if EPA is given all the resources it needs to take the actions outlined in the Roadmap and Plan 15, actually completing them will take years. The U.S. House of Representatives has twice passed the bipartisan *Clean Water Standards for PFAS Act*, which would require EPA to set limits on PFAS discharges for nine industry categories within four years. Similar legislation has also been introduced in the Senate. We believe that anything less ambitious than the schedule endorsed by the House would fall short of what communities struggling with PFAS pollution expect and need from the EPA.

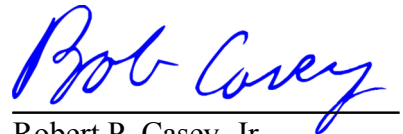
We urge you to include \$20 million in the FY 2025 Interior, Environment and Related Agencies Appropriations bill for the EPA's Office of Water to accelerate the development of ELGs to help stop PFAS pollution at the source. We thank you for taking PFAS pollution seriously and look forward to working with you on addressing this urgent crisis.

Sincerely,



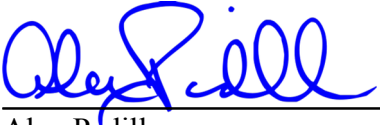
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Kirsten Gillibrand  
United States Senator

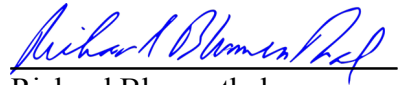


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Robert P. Casey, Jr.  
United States Senator



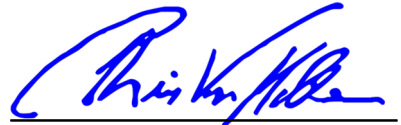
Alex Padilla  
United States Senator



Richard Blumenthal  
United States Senator



Eaphonza Butler  
United States Senator



Chris Van Hollen  
United States Senator



Richard J. Durbin  
United States Senator