



CVCWA
CENTRAL VALLEY CLEAN WATER ASSOCIATION

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Tess Richman
Engineering and Science Division
Office of Water (Mail Code 4504-T)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Submitted via email to: richman.tess@epa.gov
Submitted online via the [Public Comment Portal](#)

Re: Central Valley Clean Water Association’s Comments on the Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids, EPAHQ-OW-2026-2509

Dear Ms. Richman:

The Central Valley Clean Water Association (CVCWA) appreciates this opportunity to comment on the U.S. Environmental Agency's (USEPA) “Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids.” CVCWA is a nonprofit association of over 50 public agencies located within the Central Valley region of California that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters from the perspective of balancing environmental and economic interests consistent with state and federal law.

CVCWA is concerned about the increased cost and impact on our members’ ratepayers due to non-essential uses of PFAS which can make their way into collection systems, wastewater treatment plants and biosolids. As passive receivers, we believe it is imperative that product control is an essential first step to removing PFAS from the environment.

CVCWA supports the comments provided by the California Association of Sanitation Agencies (CASA) on this docket, including the recommendations to:

- Ensure risk are analyzed with the same rigor as applied to the original USEPA CFF 40 Part 503 rule.
- Integrate the draft risk assessment into USEPA's broader PFAS strategy.
- Continue research as a necessary component to robust regulations.
- Recognize the potential environment and affordability impacts of biosolids bans.
- Protect our circular water/resource recovery systems (water, air, land) from contamination while fulfilling valuable ecosystem restoration needs (examples: effluent → recycled water, environmental flow contributions, groundwater recharge; methane gas → energy; biosolids → carbon sequestration & healthy soils). And,
- Provide a broad-spectrum, scientifically grounded, all government approach that provides clear, unified and pragmatic guidance for PFAS management in water resource recovery based on currently available research and proven technology.

We also encourage USEPA to consider the additional materials provided by CASA including:

- Study of Per- and Polyfluoroalkyl Substances in Bay Area POTWs Final Report
- Biosolids Capacity Challenges from a Land Application Ban in California

Thank you for the opportunity to provide these comments.

Sincerely,



Debbie Mackey, Executive Officer
Central Valley Clean Water Association

Attachment



September 22, 2026

Tess Richman
Engineering and Science Division
Office of Water (Mail Code 4504-T)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Submitted via email to: richman.tess@epa.gov
Submitted online via the [Public Comment Portal](#)

Re: California Association of Sanitation Comments on the Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids, EPA-HQ-OW-2026-2509

Ms. Richman:

The California Association of Sanitation Agencies (CASA) appreciates this opportunity to comment on the U.S. Environmental Agency's (USEPA) Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids and Request for Feedback.

CASA represents more than 150 public agencies and municipalities in California engaged in wastewater collection, treatment, and recovery of valuable resources to protect public health and the environment. We are the leading California association dedicated to advancing sound public policy and programs for water circularity to advance community resilience and create a more sustainable environment and economy for Californians.

CASA members recover resources from the wastewater treatment process, including recycled water to augment local supply, biogas to produce renewable energy or low-carbon fuel, biosolids for use as an organic soil amendment, and other valuable resources. Our members and ratepayers have experienced firsthand the fallout of the widespread use of non-essential PFAS in household products. Agencies have already borne the increased costs of sampling for PFAS throughout their systems and directly funding research to attempt to understand the fate of only a subset of PFAS for which we have sampling methods. PFAS also represents a real threat to agency resource recovery programs. While CASA appreciates USEPA reaffirming its support for the beneficial use of biosolids in this document, we have some additional comments related to the draft guidance below and in the attached reviews by four expert research scientists.

CASA Commends USEPA's Course Corrections from the Draft Risk Assessment

CASA commends USEPA for recognizing the multitude of public comments received on the Draft Sewage Sludge Risk Assessment for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic



Acid (PFOS). It is encouraging that the Agency is formally requesting feedback on the necessary next steps to course-correct from the fallout of the Draft Risk Assessment and ensure that risks are analyzed with the same rigor as applied to the original USEPA CFR 40 Part 503 rule.

CASA Recommends Integrating the Draft Risk Assessment into USEPA's Broader PFAS Strategy

By initiating this pause in the process, USEPA now has the time and resources to commence development of the risk management component, which was omitted from the Draft Risk Assessment and is a key element for moving forward. This necessary action will directly support USEPA's broader PFAS Strategy by developing a more comprehensive review of PFAS distribution and exposure pathways, with biosolids representing only one (and comparatively minor) such pathway. Much of the negative commentary and misrepresentations surrounding biosolids management that resulted from release of the initial Draft Risk Assessment could have been mitigated if an adequate risk assessment had been a core component from the outset. Taking this step now, guided by and integrated into USEPA's overall PFAS strategy, will root future guidance and policies in a firmer scientific basis within the PFAS landscape. There is a long history of successful beneficial use of biosolids through land application, with notable economic and environmental benefits demonstrated through 50 years of research-based practice. Placing PFAS and biosolids in this proper context will be beneficial for USEPA's broader future PFAS strategy.

CASA Supports Utilizing Existing Programs to Expedite Next Steps

Within the USEPA, there are programs that can directly assist in implementing a more comprehensive PFAS approach. Such programs include, but are not limited to:

- National Pollutant Discharge Elimination System (NPDES) program
- Effluent Limit Guidelines (ELG)
- PFAS Innovative Treatment Team (PITT)
- National Sewage Sludge Survey (NSSS)
- Biennial Reporting System (BRS)

Relying upon this network of integrated programs can bolster a more holistic approach that will allow USEPA to be better equipped to maintain functional, sustainable, and practical approaches to managing current and future compounds of concern.

CASA Recognizes Continued Research as a Necessary Component to Robust Regulations

In preparing 40 CFR Part 503, USEPA resourced extensive public comments, and assembled a cross-disciplinary research team to study biosolids management that included 'an extensive multi-pathway risk assessment for evaluating and setting limits to manage pollutants in biosolids.'¹ In addition, these regulations were informed by the USDA Multi-state W-5170 Research Committee, which has a 50-year history of biosolids research evaluating the beneficial use of residuals to improve soil health and protect public and ecosystem health. In contrast, as noted in CASA's March 28, 2025, comment letter on the Draft Risk Assessment, realistic biosolids management scenarios and recent field-

¹ A Guide to the Biosolids Risk Assessments for the EPA Part 503 Rule. <https://www.epa.gov/biosolids/guide-biosolids-risk-assessments-epa-part-503-rule>



based, long-term research were not included. This research compilation, alongside the combined Effluent Limit Guidelines and National Sewage Sludge Survey, would offer a complementary compendium of research and survey findings on the fate and transport of PFAS across limited biosolids management options and current PFAS concentrations throughout the wastewater system.

Unfortunately, the voluntary recommendations outlined in this Guidance, specifically for end-users, are devoid of any basis in sound research and appear to subvert or ignore the existing Part 503 biosolids regulations, which utilize a multi-pathway risk assessment to establish necessary buffers to waterways, public access restrictions, and harvest waiting periods. Future recommendations should uphold the same rigor established with the existing Part 503 regulation and address PFAS exposure more broadly.

CASA Offers Lessons Learned from California

Actions related to PFAS have resulted in unprecedented impacts on the water resource recovery community across the country. Like many states, California sought guidance on how to address PFAS contamination from cross-media sources and identify proven methods to track and phase out PFAS, so these compounds don't have a chance to disperse into our homes and environment. The following are examples on how California has met this challenge:

- PFAS Statewide Investigative Order: The California State Water Resources Control Board (SWRCB) issued a PFAS Investigative Order in 2019 to all permittees. CDM Smith and CASA then presented an analysis and findings from the investigation. Biosolids PFAS concentrations were found to be less than EPA's soil screening levels, with the primary contributions coming from domestic sources. GeoTracker continues to show real-time concentration results across the state and CASA remains committed to assisting with a California PFAS Wastewater Strategy alongside both regulated entities and regulators.
- Source Identification Study: CASA supports USEPA's emphasis on source identification, industrial pretreatment, and pollution prevention as important tools for reducing PFAS concentrations in wastewater and biosolids. However, in California, the Bay Area Clean Water Agencies (BACWA) and San Francisco Estuary Institute (SFEI) PFAS Study Final Report (2024)² found that significant PFAS loadings originate from residential and commercial sources in addition to identifiable industrial dischargers. While industrial pretreatment programs can reduce PFAS loadings from significant dischargers, they cannot fully address PFAS contributions originating from households and other non-permitted sources. Therefore, source control should be viewed as one important component of a broader PFAS management strategy rather than a complete solution.
- PFAS Legislation: CASA has sponsored multiple legislative bills to ban non-essential uses of PFAS in consumer products. These bills have included a host of organizations within and outside of the water sector, aimed at source control and getting rid of these compounds before they enter commerce, our communities, and our watersheds.
- Cost & Capacity Report: California joined a multi-state investigation evaluating the impacts of potential bans on biosolids land application. While the California Statewide

² Study of Per- and Polyfluoroalkyl Substances in Bay Area POTWs Final Report. <https://bacwa.org/wp-content/uploads/2024/10/SFEI-BACWA-PFAS-Study-2024-Final-Report-w-Appendices.pdf>



Investigative Order found PFAS concentrations in biosolids were low, California still felt it necessary to demonstrate the limited options available outside of land application. California's Senate Bill 1383 prohibits policies that ban or restrict the lawful land application of biosolids as part of the overall goal of reducing organics disposal by 75% by 2025. The report found that a ban on land application would increase greenhouse gas emissions by an estimated 174%, increasing methane-related releases to the environment. Additionally, there is only one incinerator in the state, which is unable to handle the additional capacity. As noted in the report:

“Wastewater utilities and ratepayers could face an estimated \$140M to \$420M in additional biosolids management costs annually if they have to dispose of their biosolids rather than beneficially using them. In addition to the substantial rate increases this would require, the lack of landfill and other processing capacity and current state policies like SB1383 make this an unrealistic scenario regardless.”³

The report's findings reinforced the critical need to protect our circular water systems from contamination as the resulting recovered resources fulfill valuable ecosystem restoration needs, provide regenerative nutrients, and support water-holding capacity in drought-stricken environments across the state.

CASA Requests Guidance for States

States need clear guidance for PFAS management in water resource recovery. In the absence of guidance, states are adopting a cross-country patchwork approach to address PFAS entering their systems, further fueling confusion about the state of PFAS and its known and unknown impacts. USEPA can instead offer unified, pragmatic guidance based on currently available research and proven technology, while preserving the beneficial use of biosolids demonstrated in long-term research and practice. States already must contend with a loss in available funding for critical infrastructure. Resources, including rate-payer funding, must be channeled thoughtfully towards reinforcing these critical circular water hubs that protect our communities and their surrounding ecosystems.

Summary

In closing, CASA appreciates USEPA's reaffirmation of its support for the beneficial use of biosolids and its commitment to identifying a clear path forward. While PFAS continue to present challenges as they infiltrate our natural and human systems, the approach to addressing these contaminants also presents a unique opportunity to meet this challenge utilizing a broad-spectrum, all of government approach that can be emulated for years to come. Our members support USEPA's Part 503 regulation, and a broader, holistic, and scientifically grounded PFAS strategy to ensure a clear path for protecting our circular water resources.

Please contact me with any questions regarding our comments or inquiries to meet at (916) 432-3551 or email at mlono-batura@casaweb.org.

³ Biosolids Capacity Challenges from a Land Application Ban in California. <https://casaweb.org/wp-content/uploads/2026/08/Biosolids-Capacity-Challenges-from-a-Land-Application-Ban-in-California.pdf>



Sincerely,

A handwritten signature in black ink, appearing to read 'Maile Lono-Batura', is written over a light blue horizontal line.

Maile Lono-Batura, BCES, MNPL
Director of Renewable Resource Programs

cc: Adam Link, Executive Director, CASA

Sarah Deslauriers, Director of Air, Climate, & Energy Programs, CASA