

**Expanded Oral Comments on EPA SAB Review of PFAS Chemical Assessment**

**Before the EPA PFAS Panel of Science Advisory Board<sup>1</sup>**

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<sup>1</sup> A shorter version of these oral comments was given to meet the three minute limit.

Thank you for the opportunity to address the Science Advisory Board (SAB) PFAS Review panel. My name is Kevin Bromberg. I am a consultant specializing in environmental regulatory issues, recently retired from over 40 years of federal government service. I was the US Small Business Administration (SBA) representative to the IRIS interagency panel, where I have followed chemical assessments since 2011. Between 1979 and 2020, with a hiatus of two years, I was an advocate within the SBA Office of Advocacy. My primary job was to identify small business friendly policies at the US EPA that were consistent with environmental laws and good public policy. I have written extensively on science policies at the SAB and the National Academy of Sciences over two decades. I am commenting on my own behalf of small businesses that are affected by these science determinations.

I commend the panel for its thoughtful deliberations to date. These PFAS chemical assessments raise very serious issues. If health benefits are overstated, the EPA assessments may impose considerable costs on poor rural Americans served by small water systems without concomitant benefits. Small systems can incur large capital costs that are particularly expensive for individual water customers. It is particularly disturbing to expend scarce public resources on speculative hazards while we are unable to allocate sufficient resources to address a pandemic crisis. It is critical that the SAB panel members address the science issues presented by these commenters. The resources expended and the expertise represented by these comments warrant meaningful consideration.

I have two major messages for the peer review panel.

**First, panel members need to specifically address the key points raised in the detailed public comments.** This will ensure that the best science is followed by EPA. As you may know, the underlying SDWA statute requires that EPA use the “best available peer-reviewed science and supporting studies” in promulgating MCLs under SDWA.

Let me address the previous discussion of the RfD issue as an example. EPA’s adoption of a possible deficiency in vaccine efficiency as the critical effect where the Agency admits that such a small deficiency may yield no adverse effect is a questionable approach. Unlike EPA, both the European Food Safety Authority and California rejected use of the Budtz-Jorgensen and Grandjean data in their analyses of PFOA and PFOS. Furthermore, this approach is even more concerning because this approach led to RfD values that rival the most toxic substances on earth, and are orders of magnitude below values developed by other competent authorities. These draft EPA PFAS assessments could lead to substantial remedial costs for very low exposures with no benefits. Some of the specific objections to the RfD derivation in the public comments were not addressed in the discussion today (including flawed BMDL modeling and results that are inconsistent across and within epidemiological studies).

**Second, in order to facilitate consideration of these considerable comments, the panel should ask the EPA to respond orally and in writing to the most significant criticisms. We cannot expect the panelists to dig deeply into these comments without further assistance of EPA and public commenters. The SAB panel should invite the commenters to engage in a discussion between EPA authors and public commenters before the SAB to address specific concerns identified by the panel before the SAB panel and respond to questions.** Panel members could also use this opportunity to ask EPA their own questions (as many have asked already). A three minute public comment period for issues of this magnitude is certainly inadequate for these highly significant public health issues. An additional one half day SAB meeting is warranted to address these issues.

Historically, EPA has not paid adequate attention to public comments, and the SAB end products have suffered. The SAB needs to regularly include a charge question about responses to public comments. This would substantially improve the quality of SAB input to EPA. The failure to properly resolve science issues that were vented in public comments in the recent TBA assessment is but one example. In the past, the SAB has made attempts to further involve the public. That effort needs to be reinvigorated.

It would be unfortunate that this considerable body of knowledge contained in public comments is not carefully captured and examined in this proceeding, at a potential cost of a large waste of public resources. These chemical assessments have the potential to impose costs beyond drinking water and impose billions of dollars in costs across the Nation.

I thank the SAB panel for the opportunity to make these comments and am happy to answer any questions it may have.

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