

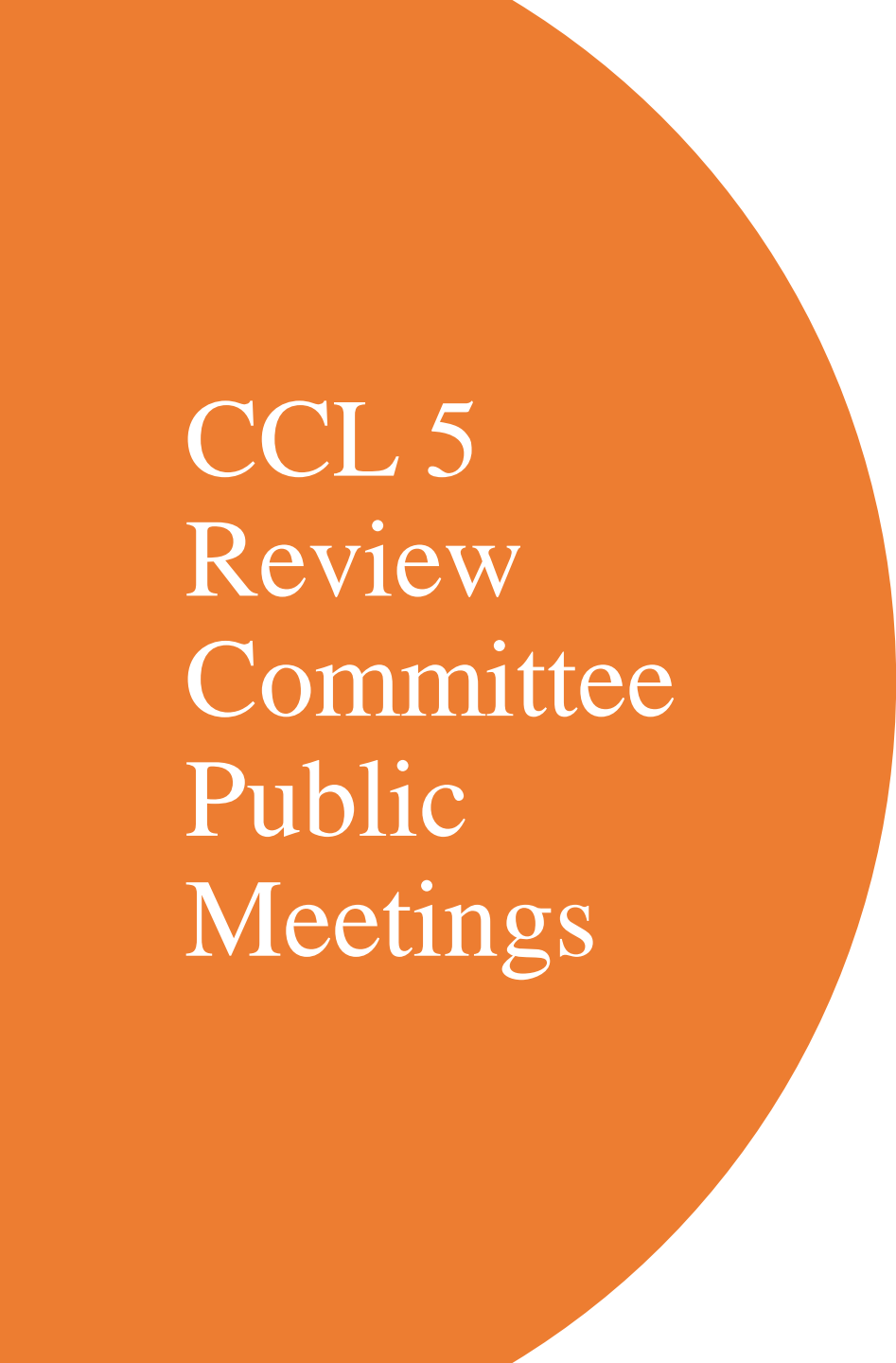
Summary of Review Conducted by SAB CCL 5 Committee

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SAB CCL 5 Review Committee Chair

Presentation for the Chartered SAB Meeting

July 18, 2022

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CCL 5 Review Committee Public Meetings

January 11, 2022 – Briefing from EPA on CCL process & discussion of charge questions

February 16 & 18, 2022 – Deliberation on charge questions

June 6, 2022 – Review and finalize draft report

Oral and written public comments were considered throughout the review process

Documents Reviewed by Committee

Draft Contaminant Candidate List 5 (CCL 5)

- Three Support Documents:
 - Technical Support Document for the Draft CCL 5 – Chemical Contaminants
 - Technical Support Document for the Draft CCL 5 – Microbial Contaminants
 - Technical Support Document for the Draft CCL 5 – Contaminant Information Sheet

Contaminant Candidate List Background

- The Safe Drinking Water Act (SDWA), amended in 1996, requires that every five years the EPA identifies a list of contaminants that are currently not subject to any proposed or promulgated national primary drinking water regulation. The list of contaminants, both microbial and chemical, are known to or anticipated to occur in public drinking water systems and may require regulation under the Safe Drinking Water Act (SDWA).
- The final list of contaminants becomes the Contaminant Candidate List (CCL). The CCL identifies priorities for potential future regulations and is used to inform research and monitoring needs. Through the CCL process, the EPA considers health effects and occurrence information for unregulated contaminants to identify contaminants that present the greatest public health concern related to exposure from drinking water.
- In a separate Agency action, the EPA is required to select a minimum of five contaminants from the CCL to undergo regulatory determination to ascertain whether to regulate contaminants with national primary drinking water regulations (NPDWR) under the SDWA.
- The SDWA requires the Agency to consult with the scientific community, including the SAB, regarding the CCL.

Agency Charge Questions

1. Please comment on whether the Federal Register Notice (FRN) published on July 19, 2021 (86 FR 37948) and associated support documents are clear and transparent in presenting the approach used to list contaminants on the Draft CCL 5. If not, please provide suggestions on how EPA could improve the clarity and transparency of the FRN and the support documents.
2. Please comment on the process used to derive the Draft CCL 5, including but not limited to, the CCL 5 improvements to assess potential drinking water exposure, consider sensitive populations, and prioritize contaminants that represent the greatest potential public health concern.
3. Based on your expertise and experience, are there any contaminants currently on the Draft CCL 5 that should not be listed? Please provide peer-reviewed information or data to support your conclusion
4. Based on your expertise and experience, are there any contaminants which are currently not on the Draft CCL 5 that should be listed? Please provide peer-reviewed information or data to support your conclusion.

Selected Key Recommendations for the Draft CCL 5

- For the use of occurrence information for unregulated contaminants to develop the Draft CCL 5:
 - The SAB recommends that the EPA clarifies the types of occurrence data that were included or rejected for consideration in development of the Draft CCL 5. In particular, to clarify how the literature review of the chemical contaminants in the Preliminary Contaminant Candidate List (PCCL) was conducted and used.
- The SAB recommends that the EPA clarifies the reason for expert opinion weighing more heavily in the identification of microbial contaminants for the Draft CCL 5, than in the identification of chemical contaminants.
- The SAB recommends for included data (i.e., data supporting CCL 5 development) that the EPA clarifies the criteria for the dates of sampling and publication of results and the process for inclusion of wastewater effluent data.
- The SAB provides recommendations regarding the consideration of sensitive populations. The EPA should further clarify why immunosuppressed individuals are not considered sensitive populations. The EPA should elaborate on how sensitive populations were evaluated for chemical contaminant risks and specify terminology regarding chronic disease and serious illness as risk factors when assessing microbial contaminant risks.

Selected Key Recommendations for the Draft CCL 5 continued

For the use of groups:

- The SAB supports the use of groups.
- The EPA should provide a rationale explaining why some compounds are listed as groups. In addition, the EPA should clarify whether individual contaminants or subgroups within the groups should be prioritized.
- The EPA should provide information on the criteria for grouping individual per- and polyfluoroalkyl substances (PFAS) and disinfection byproducts (DBPs) within the CCL 5. The EPA should clearly communicate the relative levels of potential risk and gaps in information needed to craft risk management decisions for PFAS.
- The SAB recommends that the EPA elaborate on how listing contaminants as groups impacts the regulatory process.

Selected Key Recommendations for the Draft CCL 5 continued

- The EPA provided a table in the Draft CCL 5 that includes the disinfection byproducts (DBPs) considered. The SAB finds this table is useful and recommends that the EPA include a similar table identifying the PFAS considered. In addition, the EPA should consider expanding the definition of PFAS to be more expansive to capture all relevant fluorinated compounds and degradates in commercial use or entering the environment.
- The definition and discussion of waterborne disease outbreaks (WBDO) as a criterion for microbial contaminant selection should be expanded and relocated to earlier in the Federal Register Notice (FRN). The discussion should include a clear outline of the definition of WBDOs, the limitations associated with the underlying data, how the data were used in the selection process, and how sensitive populations were considered.
- The SAB provides recommendations regarding prioritizing contaminants with the greatest health risks. The SAB recommends renaming “health effects” to “health risks” in the CCL 5 documents. The SAB recommends removing *Shigella sonnei* from the Final CCL 5 and including additional bisphenols, on the Final CCL 5. In addition to saxitoxin (STX), the EPA bisphenol F (BPF) and bisphenol S (BPS) should include other saxitoxins including neo-STX and dc-STX on the Final CCL 5.

Recommendations for future CCLs

In general, the SAB finds that the CCL 5 development process is clear and transparent. The SAB provides the following recommendations for future CCLs to further strengthen the clarity, transparency, and scientific integrity of the approach used to list contaminants on the Draft CCL 5:

- The EPA should consider employing machine learning as well as data gathered in Europe during the implementation of the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) system to identify compounds of concern.
- The EPA should consider identifying and assessing byproducts, impurities, transformation products (including metabolites and degradates), antimicrobials, microplastics, and nanoparticles in the creation of its chemical universe.
- A focus on persistent and mobile organic compounds (PMOCs) would serve to identify and prioritize chemicals of particular concern for drinking water in future CCLs.
- The EPA should develop a strategy to address the gap in occurrence data that will arise when the U.S. Geological Survey (USGS) ends its contaminants monitoring program.

QUESTIONS?