



July 20, 2026

Re: Comments on the Proposed Rule to Rescind Regulatory Determinations and Regulations for PFHxS, PFNA, HFPO-DA (GenX Chemicals), and Hazard Index Mixtures – Docket ID: EPA-HQ-OW-2025-0654

Dear EPA Administrator and Staff:

In 2020, the National Tribal Water Council (NTWC) formed an ad hoc working group named the Tribal PFAS Working Group (NTWC-TPWG) to assist in outreach on per- and polyfluoroalkyl substances (PFAS) to Tribes and Tribal members and to advocate for inclusion of Tribal lifeways in policy decisions regarding PFAS risks and risk management. The NTWC-TPWG is supported by and works in collaboration with the National Tribal Toxics Council (NTTC), the Tribal Science Council (TSC), and the Tribal Waste and Response Steering Committee (TWRSC). These Tribal Partnership Groups (TPGs) are all supported by the U.S. Environmental Protection Agency (EPA).

On behalf of the NTWC-TPWG, we appreciate the opportunity to comment on EPA's Proposed Rule to Rescind Regulatory Determinations and Regulations for PFHxS, PFNA, HFPO-DA (GenX Chemicals), and Hazard Index Mixtures.

For Tribal Nations, PFAS contamination is far more than a drinking water issue. PFAS has the potential to affect drinking water, groundwater, surface water, fish, wildlife, traditional foods, agricultural resources, and the natural environment that supports Tribal cultures and ways of life. Tribal communities often rely on these resources not only for nutrition, but also for ceremonies, cultural identity, traditional ecological knowledge, and the continuation of practices that have existed since time immemorial.

While EPA states that this proposal is intended to address legal and regulatory concerns surrounding these contaminants, the Tribal PFAS Working Group is concerned that rescinding these regulations may reduce public health protections, create uncertainty for Tribal governments, and increase challenges associated with protecting Tribal communities from PFAS exposure.

Importance of Maintaining Comprehensive PFAS Drinking Water Protections

The Tribal PFAS Working Group supports science-based drinking water standards that are protective of human health. National drinking water regulations provide Tribal governments, environmental professionals, healthcare providers, and public water systems with consistent

benchmarks for identifying contamination, communicating risks, prioritizing infrastructure improvements, and protecting community health.

Removing these regulations may create uncertainty regarding acceptable contaminant concentrations and weaken the consistency of drinking water protections across Tribal communities. Maintaining clear, health-based standards allows Tribal governments to make informed decisions regarding environmental protection, emergency planning, infrastructure investments, and long-term resource management.

Tribal Communities Experience Multiple Exposure Pathways

Many Tribal communities experience PFAS exposure differently than the general population.

For many Tribal citizens, exposure does not end at the kitchen faucet. Tribal members continue to interact with the environment through fishing, hunting, gathering, gardening, agriculture, ceremonial practices, and the collection of traditional foods. Fish, game animals, berries, native fruits, and other traditional foods often remain an important part of Tribal diets and cultural identity.

Many Tribal Nations also continue to rely upon groundwater for drinking water, livestock, irrigation, and agricultural production. PFAS contamination affecting these resources has the potential to impact entire communities through multiple exposure pathways rather than a single source.

These cumulative exposures should be carefully considered before reducing existing public health protections.

Food Sovereignty and Protection of Tribal Lifeways

Food sovereignty is central to the health, culture, and self-determination of many Tribal Nations. Traditional harvesting of fish, wildlife, native plants, fruits, and other culturally important foods supports not only nutrition but also cultural teachings, community gatherings, ceremonies, and the transfer of traditional knowledge to future generations.

PFAS contamination threatens these resources by moving through groundwater, surface water, soils, and aquatic ecosystems. The loss or contamination of traditional food sources affects far more than diet—it can affect cultural continuity, community resilience, and Tribal sovereignty.

Maintaining protective drinking water regulations helps support broader efforts to protect the environmental resources upon which Tribal food sovereignty depends.

Tribal Environmental Challenges Extend Beyond Drinking Water

Many Tribal Nations continue to manage environmental issues that increase the potential for PFAS exposure.

Across Indian Country, Tribal environmental programs work to identify and address abandoned dump sites, uncontrolled waste management areas, brownfields, aging landfills, former military properties, illegal dumping, and other contaminated sites. These locations may contain PFAS-

containing consumer products, firefighting foams, industrial materials, construction debris, textiles, and household wastes capable of releasing PFAS into the environment.

Environmental professionals working within Tribal Brownfields and Tribal Response Programs recognize that contamination originating from these sites has the potential to migrate into groundwater, nearby streams, wetlands, and other environmental media.

Rescinding drinking water protections does not eliminate these contamination sources or reduce the need to monitor and manage their long-term impacts on Tribal communities.

Importance of Risk Communication

Effective risk communication is one of the most important tools available to Tribal governments.

Tribal environmental professionals routinely communicate with Tribal leadership, healthcare providers, schools, community members, and elders regarding environmental contamination and potential health risks. These conversations rely upon clear, nationally recognized health-based standards that help explain what contaminants are present, whether they exceed protective levels, and what actions should be taken.

If federal drinking water regulations are rescinded, Tribal governments may be placed in the difficult position of explaining why contaminants remain present in drinking water without having clear federal standards upon which to base recommendations. This may create confusion, reduce public confidence, and undermine effective communication between Tribal governments and the communities they serve.

Risk communication should remain an essential component of EPA's PFAS strategy, regardless of future regulatory decisions.

Public Notification and Transparency

The Tribal PFAS Working Group strongly believes that Tribal citizens have the right to know when PFAS are detected in their drinking water.

Public notification should continue regardless of future regulatory decisions. Community members deserve timely, accurate, and understandable information regarding contaminant levels, potential health effects, exposure reduction options, and actions being taken to address contamination.

Transparent communication builds trust between Tribal governments, drinking water utilities, and the communities they serve. Removing federal regulations should not reduce expectations for public notification or public access to environmental information.

Hazard Index and Cumulative Exposure

The Tribal PFAS Working Group is particularly concerned about rescinding the Hazard Index. Removing the Hazard Index mixture standard erases the only tool that accounts for cumulative, culturally specific exposure. Research on Tribal waters in Montana (PFAS in tribal waters of Montana, Environmental Science: Processes & Impacts, 2026) found PFAS prevalent in fish

tissue relied on for subsistence and recreational fishing, with some stream-adjacent private wells exceeding human-health benchmarks. The Hazard Index mixture standard was designed to capture combined exposure across multiple PFAS and pathways; rescinding it removes the only enforceable metric that reflects the reality that Tribal members are often exposed through drinking water and traditional foods simultaneously.

PFAS contamination rarely consists of a single compound. Environmental investigations frequently identify multiple PFAS compounds within the same groundwater plume, drinking water source, landfill, wastewater discharge, or illegal dumpsite.

The Hazard Index recognizes that communities may be exposed to several PFAS simultaneously and provides a framework for evaluating cumulative health risks.

Because Tribal communities often experience multiple environmental exposure pathways, removing consideration of cumulative PFAS exposure may underestimate the potential health risks experienced by Tribal populations.

Quantify the costs and forgone health benefits for all four rescinded chemicals, not just PFHxS, before proceeding, and publish updated Tribal-specific exposure and monitoring data as part of the record.

Federal Trust Responsibility and Tribal Consultation

EPA's decisions regarding PFAS regulations should continue to reflect the federal trust responsibility to Tribal Nations and the government-to-government relationship between the United States and federally recognized Tribes.

Many Tribal governments operate small environmental programs with limited staff and financial resources while managing increasingly complex environmental issues. Federal drinking water regulations provide an important scientific foundation that Tribal governments rely upon when making environmental decisions, pursuing cleanup funding, communicating risks, and protecting public health.

Meaningful Tribal consultation should continue throughout EPA's evaluation of PFAS regulations. Tribal Nations possess unique knowledge regarding local environmental conditions, traditional resource use, and community priorities that should help inform federal decision-making.

Protection of Future Generations

Many Tribal cultures emphasize the responsibility to protect natural resources for future generations.

Decisions made today regarding PFAS regulations will influence not only current drinking water quality but also the ability of future generations to safely fish, hunt, gather traditional foods, and practice cultural traditions.

Where scientific uncertainty remains regarding PFAS toxicity, environmental transport, and cumulative exposure, the Tribal PFAS Working Group encourages EPA to take a precautionary

approach that continues to prioritize protection of human health and the environment while additional scientific research is conducted.

Conclusion

The Tribal PFAS Working Group appreciates EPA's continued efforts to evaluate emerging PFAS science and recognizes the importance of periodically reviewing drinking water regulations.

However, rescinding the regulatory determinations and drinking water regulations for PFHxS, PFNA, HFPO-DA, and Hazard Index mixtures may reduce public health protections, complicate risk communication, create uncertainty for Tribal governments and drinking water systems, and disproportionately affect Tribal communities that already experience multiple environmental exposure pathways and unique environmental challenges.

We respectfully encourage EPA to maintain protective drinking water regulations, continue supporting science-based decision-making, strengthen public notification and risk communication efforts, and ensure that Tribal Nations remain active partners through meaningful government-to-government consultation. Protecting Tribal communities requires more than monitoring drinking water—it requires protecting the interconnected natural resources, traditional foods, environmental health, and cultural lifeways that sustain Tribal Nations today and for generations to come.

Thank you for the opportunity to provide comments on this important proposed rule.

Respectfully,



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