



March 31, 2026

Safer Consumer Products Program
California Department of Toxic Substances Control (DTSC)
1001 I Street
Sacramento, CA 95814-2828
CalSAFER Public Comment Portal: <https://calsafers.dtsc.ca.gov/cms/commentpackage/?rid=12796>

Subject: Comments on DTSC’s Product-Chemical Profile for Floor Maintenance Products Containing PFAS

On behalf of the Bay Area Clean Water Agencies (BACWA), we thank you for the opportunity to provide comments on DTSC’s Draft [Product-Chemical Profile for Floor Maintenance Products Containing PFAS](#) (“Draft Profile”).¹ BACWA is a joint powers agency whose members own and operate sanitary sewer systems and wastewater treatment facilities that collectively provide sanitary services to over seven million people in the nine-county San Francisco Bay Area (Bay Area). Every day, BACWA members provide wastewater treatment for millions of gallons of wastewater that is discharged to local creeks and rivers, San Francisco Bay, and the Pacific Ocean. BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health.

Although there are currently no regulations for PFAS in municipal wastewater effluent in California, BACWA anticipates that our member agencies, like other wastewater agencies around the country, could soon face strict requirements to significantly reduce PFAS concentrations in treated wastewater. For example, the State’s Division of Drinking Water is currently developing Maximum Contaminant Levels for PFAS;² USEPA has developed draft human health water quality criteria for PFAS based on fish consumption;³ and the Office of Environmental Health Hazard Assessment is developing fish tissue concentrations to be used for fish consumption advisories.⁴ Most BACWA member agencies discharge to San Francisco Bay, a tidal estuary, so drinking water limits are not a concern – but PFAS accumulate in fish, which pose a risk to human health through the fish consumption pathway.⁵

¹ “Product-Chemical Profile for Floor Maintenance Products Containing Perfluoroalkyl or Polyfluoroalkyl Substances.” February 2026. Prepared by Department of Toxic Substances Control, Safer Consumer Products Program. Available at <https://dtsc.ca.gov/wp-content/uploads/sites/31/2026/02/Product-Chemical-Profile-for-Floor-Maintenance-Products-Containing-Perfluoroalkyl-or-Polyfluoroalkyl-Substances-DRAFT-VERSION-Accessible.pdf>

² State Water Resources Control Board, Resolution 2026-0008 Adopting the Prioritization of Drinking Water Regulations Development for Calendar Year 2026. Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2026/rs2026-0008.pdf

³ USEPA, December 2024. “Human Health Water Quality Criteria for PFAS.” Available at <https://www.epa.gov/wqc/human-health-water-quality-criteria-pfas>

⁴ OEHHA, July 2024. “OEHHA Fish Advisory Development Process: Considerations for PFASs.” Available at https://biomonitoring.ca.gov/sites/default/files/downloads/Fish_Advisories_PFAS_071924.pdf

⁵ Méndez, M, et al (2025). Spatial Trends and Health Risks of Per- and Polyfluoroalkyl Substances in San Francisco Bay Fish from 2009 to 2019. ACS EST Water 2025, 5, 6, 2903–2913. <https://doi.org/10.1021/acsestwater.4c00999>

BACWA applauds DTSC's efforts to reduce PFAS in consumer products. We are particularly thankful to DTSC for including information about wastewater in the Draft Profile – in particular, the detailed explanation regarding the pathway for PFAS in floor maintenance products to reach wastewater treatment plants. As explained in the Draft Profile, municipal wastewater treatment plants do not destroy PFAS, although some PFAS may be transformed to other PFAS species. Instead of being destroyed, PFAS travels through municipal wastewater treatment plants and is subsequently released into drinking water sources, aquatic ecosystems, and agricultural lands.

BACWA has supported recent scientific studies of PFAS in Bay Area wastewater, and found striking similarities in PFAS influent concentrations between Publicly-Owned Treatment Works (POTWs) in the Bay Area.^{6,7} We did not find a correlation between contributions from industrial flows and the PFAS concentrations at various POTWs. Based on the current evidence, non-industrial sources – such as residential, institutional, and commercial users – appear to be the dominant source of PFAS to Bay Area wastewater treatment plants.

The scenario in the Bay Area appears to be different from some other states, such as Michigan,⁸ where industrial sources are recognized as a significant contributor to wastewater treatment plant loads. Within the wastewater treatment community, industrial loads are considered “controllable sources,” because there is an existing legal framework through the Clean Water Act for reducing or eliminating these sources. The floor maintenance products that are the focus of the draft profile are emblematic of “uncontrollable sources” from the perspective of the wastewater community. Without limitations on consumer products such as those available through the DTSC Safer Consumer Products Program, it would be virtually impossible for local wastewater agencies to prevent PFAS from floor maintenance products from reaching their treatment facilities.

BACWA has devoted resources to public outreach related to PFAS in consumer products (“You can help kick PFAS out” -- see <https://baywise.org/pfas/>), but has no expectation that calling for voluntary actions by individuals will result in meaningful reductions. As noted in the Draft Profile, PFAS chemicals are not always listed on labels or safety data sheets for floor maintenance products, which makes it difficult for consumers and commercial users to reduce their use of PFAS.

Wastewater treatment technology is emerging to sequester and concentrate PFAS in specific applications, such as industrial waste streams and drinking water. However, it is not yet economical to deploy such technology at municipal wastewater treatment plants. Furthermore, technologies to destroy PFAS are not generally accepted nor readily available at this time.

To summarize, consumer products do not contain PFAS labels, PFAS is ubiquitous in municipal wastewater, and destruction is currently infeasible. As a result, BACWA strongly believes that regulation of consumer products is the most important tool to address PFAS pollution. **BACWA urges DTSC to use its regulatory authority under the Safer Consumer Products Program to restrict or prohibit sales of PFAS-containing floor maintenance products in California.**

BACWA looks forward to continued partnership with DTSC to understand and solve the problem of

⁶ Lin, D; Méndez, M; Paterson, K. 2024. *Study of Per- and Polyfluoroalkyl Substances in Bay Area POTWs: Final Report*. SFEI Contribution No. 1145. San Francisco Estuary Institute: Richmond, CA. Available at <https://www.sfei.org/documents/study-and-polyfluoroalkyl-substances-bay-area-potws-final-report>

⁷ Lin, D et al. (2024). Residential Wastewater as a Major Source of Per- and Polyfluoroalkyl Substances to Municipal Wastewater. *ACS EST Water* 2024, 4, 11, 4847–4857. <https://doi.org/10.1021/acsestwater.4c00507>

⁸ Michigan Dept. of Environment, Great Lakes, and Energy (EGLE) Industrial Pretreatment Program PFAS Initiative. See <https://www.michigan.gov/egle/about/organization/water-resources/industrial-pretreatment/pfas-initiative>.

PFAS pollution.

Respectfully Submitted,

Sincerely,

A handwritten signature in cursive script that reads "Lorien Fono". The signature is written in black ink and includes a long horizontal flourish at the end.

Lorien Fono
Executive Director
Bay Area Clean Water Agencies

Cc: BACWA Executive Board
Robert Wilson and Autumn Ross, Co-Chairs, Bay Area Pollution Prevention Group