

## **NATIONAL ASSOCIATION OF MANUFACTURERS ROUNDTABLE**

**MAY 20, 2025, 3 PM**

**Jess Kramer's Remarks**

**Who:** The National Association of Manufacturers (NAM) members include manufacturers in every industrial sector and in all 50 states. The industry employs 13 million Americans and contributes more than \$2.9 trillion to the U.S. economy annually.

**What:** Participate in an In-Person roundtable briefing for NAM members, off the record.

**Location:**

Hyatt Regency Washington on Capitol Hill  
400 New Jersey Ave NW, Congressional A

**Open press:** No

**Other EPA Speakers:** No

**Format:** Roundtable

**Key Topic Requested:** "PFAS Regulations"

**Run of Show**

- Meeting opening by NAM policy committee chair Thermo Fisher
- Chris Phalen, Vice President of Domestic Policy will introduce **YOU**
- **YOU** provide remarks (10 mins)
- Q&A (kicked off and moderated with NAM members by C. Phalen)

## Introduction

- Thank you, Chris.
- Jess' list of caveats (Senior Advisor until confirmed...)
- Start out by talking about how **Administrator Zeldin's leadership aligns with NAM's goals.**
- **Powering the Great American Comeback** – not just a talking point. We are ensuring that everything the Office of Water does aligns with this goal.
  - Pillar 1: Clean Air, Land, and Water for Every American
  - Pillar 2: Restore American Energy Dominance
  - Pillar 3: Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership
  - Pillar 4: Make the United States the Artificial Intelligence Capital of the World
  - Pillar 5: Protecting and Bringing Back American Auto Jobs
- I see **NAM and its members playing key roles** in advancing progress with EPA.
- Together, we can strengthen our communities by **supporting energy, critical mineral, transportation, AI and chip manufacturing**, and everything in between. And we can do this **while ensuring that Americans can rely on clean and safe water.**
- The Office of Water intends to align policy with practicality. We want to make sure our policies:
  - Follow the law (SDWA, CWA, SCOTUS)
  - Consider the state of the science
  - Informed by practical, on the ground implementation

## Policy Meets Practicality

### 401

- Earlier today, we rolled out a **memo reinforcing the alignment between Clean Water Act Section 401 and the “Powering the Great American Comeback” Initiative**
- This memo emphasizes the agency’s position that states and Tribes must **utilize section 401 only for its statutory purpose – to protect water quality** – and not for policy or political goals unattached to real and direct water quality concerns.
- We also announced our **intent to seek input on implementation challenges** by issuing a Federal Register Notice and opening a docket for public comment. I **look forward to your input** through this process.

### WOTUS

- We fully recognize that **industry has been particularly affected by WOTUS ping pong** – meaning the back and forth of different Administrations changing definitions. This has been going on for a decade or longer.
- We know that **you need certainty**.
- The **Sackett decision added much-needed clarity**.
- We intend to provide **clear rules of the road that fully implement SCOTUS’ direction** in Sackett v. EPA.
- The agencies have already taken action, by issuing a **memo to the field** addressing a confusing and expansive view of which wetlands are waters of the US.

- The memo clarifies that **wetlands are only considered jurisdictional if they directly abut a WOTUS and have a continuous surface connection.**
- Additionally, we **will undertake a rulemaking process to revise the 2023 definition of WOTUS** to ensure that it fully implements direction from the Supreme Court.
- Currently, we are **hosting listening sessions** to gather real-world perspectives and experiences with WOTUS implementation.
- We have a **public listening session next week in Utah and you can participate, virtually or in-person.**
  - You can register at [epa.gov/wotus](https://epa.gov/wotus), then go to “Public Outreach and Stakeholder Engagement Activities”

## Steam Electric ELGs

- We have announced our **intent to revise costly wastewater regulations for coal burning power plants** issued in 2024.
- Our goal is ensuring that **all Americans can rely on low-cost electricity while also protecting our nation’s water resources.**
- EPA will **reconsider the 2024 standards and consider how to provide immediate relief and flexibility in terms of compliance planning** (e.g., retirement decisions) **and existing requirements.**
- We’ve heard from a lot of power utilities that the electricity landscape is changing, with AI coming in, and they need more time to plan. We intend to accommodate that.

## Oil and Gas ELGs

- We have announced our **intent to modernize outdated regulations on wastewater discharges for oil and gas extraction facilities to lower energy costs while supporting environmentally sustainable water reuse.**
- The agency's review will evaluate modern technologies and management strategies to provide regulatory flexibility for oil and gas wastewater – also known as produced water – to be **treated for beneficial reuse, including for Artificial Intelligence and data center cooling, rangeland irrigation, fire control, power generation, and ecological needs.**

## PFAS, Generally

- Recognize that one of the best ways to **address PFAS is at the source.**
- A few weeks ago (on April 28), **Administrator Zeldin outlined a suite of EPA actions to address PFAS.**
- It called for the designation of an **agency lead for PFAS.**
- It also included the **development of ELGs for certain PFAS and certain industries** – namely PFAS manufacturers and metal finishers.
- We're currently discussing internally and look forward to announcing next steps soon.

## PFAS National Primary Drinking Water Regulation

- As you know, the Trump Administration **reviewed the 2024 National Primary Drinking Water Regulation that established standards for six PFAS.**

- This has been a **holistic review—including the science**, the monitoring data, statutory authority, Safe Drinking Water Act process, implementation flexibilities, etc.
- **When it comes to the science, especially when it comes to PFOA and PFOS, the agency’s underpinning of the rule is robust and interconnected.**
- We have found that it’s **not based on one study or one factor** that if changed, would change the outcome.
- Rather, if you **pull one string, the web of scientific underpinning remains substantial and compelling.**
- With that said, the Administrator’s direction will **provide significant relief to drinking water systems, ensure that water systems can stay in business, and protect American families from water rate hikes.**
- I will talk about the Administrator’s intent to:
  - **Keep the current regulations for PFOA and PFOS and un-pause litigation while**
  - **Extending compliance deadlines**
  - Establishing a **federal exemption framework**
  - Pursuing **proactive technical assistance to water systems**—especially in rural and small communities
  - Using the tools available to **hold polluters accountable**
- **At the same time, we intend to rescind the regulations with respect to four additional PFAS.**
  - Specifically, the agency intends to **rescind the regulations and reconsider the regulatory determinations** for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index mixture of these three PFAS plus PFBS.

- This action will ensure that the determinations and any resulting drinking water regulation **follow the legal process laid out in the Safe Drinking Water Act.**
- In terms of the **compliance deadlines for PFOA and PFOS**, as you are likely aware the 2024 regulation **gave public water systems until 2029** to comply with the maximum contaminant levels, or MCLs.
- Water systems, associations, elected officials, and others have shared with us that **the compliance schedule is one of the biggest challenges for implementation.**
- The Administrator agrees with this, **especially in light of stacking requirements** on PFOA and PFOS and the Lead and Copper Rule.
- To that end, EPA plans to **develop a rulemaking** to provide additional time for compliance, including proposing an **extension of the compliance date to 2031.**
- EPA plans to issue a **proposed rule this fall** and finalize this rule in the Spring of 2026.
- In addition, in light of this extra time, **EPA encourages states seeking primacy for implementing the PFAS drinking water regulation to request additional time** for developing their applications.
- We will also be announcing our **intent to establish a federal exemption framework for PFOA and PFOS.**
- And we are committed to working with communities to meet their needs through our **new PFAS OUT initiative.**
  - PFAS OUT will enhance engagement on addressing PFAS by **proactively connecting with every public water utility**

known to need capital improvements to address PFAS in their systems.

- `EPA will **share resources, tools, funding and technical assistance** opportunities to help utilities meet the federal drinking water standards.
- PFAS OUT will ensure that **no community is left behind** as we work to protect public health and bring utilities into compliance with federal drinking water standards.
- It is critical to underscore that drinking water systems are **passive receivers of PFAS into their source waters, including PFOA and PFOS.**

### Close

- Thank you and I look forward to our discussion today and over the coming years.