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Via [regulations.gov](https://www.regulations.gov)

August 31, 2026

Lee Zeldin, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: *Revisions to Establish the Sixth Unregulated Contaminant Monitoring Rule (UCMR 6) for Public Water Systems, Docket ID Number EPA-HQ-OW-2023-0469*

Dear Administrator Zeldin:

On behalf of Food & Water Watch (FWW) and the undersigned organizations (collectively, Commenters), please consider the following comments on the Environmental Protection Agency's (EPA or the agency) proposed Sixth Unregulated Contaminant Monitoring Rule (UCMR 6 or the Proposed Rule).¹ FWW fights for the safe and healthy food, clean water, and livable climate we all deserve. We empower people to take on destructive corporations and the policy makers who enable them, in order to stop pollution, defend democracy, and protect the planet—now and for future generations. FWW considers water a human right and advocates extensively for clean and affordable water for all. This includes ensuring that our drinking water is safe from unregulated contaminants like microplastics.

Microplastics are harmful and pervasive emerging contaminants. They are ubiquitous in the environment, threaten human health, and occur in drinking water. In November 2024, FWW and over 170 national, regional, state, and local organizations petitioned EPA to monitor for microplastics in drinking water under UCMR 6 (the FWW Petition).² A year later, in November 2025, a coalition of seven state governors submitted a petition to EPA urging the agency to do the same (the Governors' Petition).³ Both petitions, which are attached and hereby incorporated by reference, detail the urgent need for microplastics monitoring.

¹ Revisions to Establish the Sixth Unregulated Contaminant Monitoring Rule (UCMR 6) for Public Water Systems, 91 Fed. Reg. 39952 (July 1, 2026) (to be codified at 40 C.F.R. pt. 141) [hereinafter, Proposed Rule].

² Attach. 1, Food & Water Watch, et al. Petition to Include Microplastics on the Sixth Unregulated Contaminant Monitoring Rule under the Safe Drinking Water Act (Nov. 25, 2024), <https://www.foodandwaterwatch.org/wp-content/uploads/2024/11/Microplastics-Petition-to-EPA.pdf> [hereinafter, FWW Petition].

³ Attach. 2, Request of the Governors of New Jersey, Delaware, Illinois, Maryland, Michigan, Wisconsin, and Connecticut under 42 U.S.C. § 300j-4(a)(2)(B)(ii) that EPA Include Microplastics in the Forthcoming Unregulated Contaminant Monitoring Rule 6 List (Nov. 26, 2025), https://d31hzhk6di2h5.cloudfront.net/20251126/24/85/ad/24/77a93608fa1b601e94b31756/Microplastics_Petition.pdf [hereinafter, Governors' Petition].

EPA must require microplastics monitoring now. First, EPA is legally obligated to include microplastics on UCMR 6 unless the agency can show doing so would preclude the listing of more concerning contaminants, which it has not. Second, microplastics monitoring would inform future regulation of these dangerous contaminants, a process that will be unreasonably delayed if EPA fails to include microplastics on UCMR 6. Therefore, Commenters urge EPA to require microplastics monitoring.

I. EPA is legally obligated to include microplastics on UCMR 6 unless the agency adequately justifies their exclusion, which it has not.

The Safe Drinking Water Act (SDWA) requires EPA to monitor for unregulated contaminants in drinking water.⁴ EPA carries out this mandate through the UCMR, which it issues every five years.⁵ With each cycle, the UCMR establishes a nationwide monitoring program for up to thirty unregulated contaminants.⁶ Importantly, under the SDWA, if at least seven state governors submit a petition to EPA to include a contaminant on the UCMR, the agency *must* comply absent a determination that doing so “would prevent the listing of other contaminants of a higher public health concern.”⁷ This is the burden EPA currently faces as a consequence of the Governors’ Petition. While EPA acknowledges the existence of this statutory language, it excludes microplastics from the Proposed Rule without any attempt to address it.⁸ As such, EPA’s failure to include microplastics is unlawful.⁹

a. Microplastics are contaminants of a high public health concern.

Microplastics pose significant risks to human health. These ubiquitous contaminants have been associated with harm to the digestive, cardiovascular, respiratory, endocrine, reproductive, and neurological systems and they have been linked to certain cancers. Sensitive groups, like infants and children, are often more exposed and more at risk for health effects associated with microplastics. Microplastics also transport other harmful contaminants, like PFAS, heightening the already significant public health concerns posed by each substance alone. The alarming threats to human health associated with microplastics are further detailed in the attached petitions and supporting materials.¹⁰

Microplastics are also of significant concern to the public, especially when it comes to health. According to a 5 Gyres national microplastics polling report released in July 2025, 90% of people “are concerned that microplastics have been found in almost every part of the human

⁴ 42 U.S.C. § 300j-4(a)(2).

⁵ *Id.*; Proposed Rule, 91 Fed. Reg. at 39954.

⁶ 42 U.S.C. § 300j-4(a)(2).

⁷ *Id.* § 300j-4(a)(2)(B)(ii).

⁸ Proposed Rule, 91 Fed. Reg. at 39959.

⁹ 42 U.S.C. § 300j-4(a)(2)(B)(ii); 5 U.S.C. § 706(2).

¹⁰ *See generally*, Attach. 1, FWW Petition; Attach. 2, Governors’ Petition; Attach. 3, FWW, Fact Sheet: Tiny Particles, Big Problems: Microplastics in Our Drinking Water (Apr. 2026), www.foodandwaterwatch.org/wp-content/uploads/2026/04/FSW_2604_MicroplasticsWaterUpdate.pdf; Attach. 4-6 (compiling select research on microplastics).

body studied, including the lungs, heart, placenta, blood, testicles, brain, and breast milk” and 89% of people “are concerned that microplastics have been linked to health complications, such as endocrine disruption, cardiovascular problems, respiratory disorders, cancers, and diabetes.”¹¹ Concerns about microplastics extend to the ubiquity of these contaminants in the environment, with 89% of people “concerned that microplastics are found in the air we breathe, the water we drink, and the food we eat.”¹² Since FWW began its campaign for microplastics monitoring, thousands of people have demanded that EPA act now, including over 250 public health professionals who sent a letter to EPA expressing “grave concern” about microplastics in drinking water.¹³

EPA fails to confront the serious and severe harms associated with microplastics and the overwhelming public concern about these contaminants. In excluding them from the Proposed Rule, the agency provides nothing more than a cursory acknowledgement of “the interest in and concern for microplastics in drinking water.”¹⁴ EPA cannot even begin to meet its burden if it refuses to engage in any real analysis of the level of public health concern associated with microplastics.

b. EPA nowhere determines that including microplastics on UCMR 6 would prevent the listing of other contaminants of a higher public health concern.

Despite being required by law to do so, EPA entirely fails to make any determination that including microplastics on UCMR 6 “would prevent the listing of other contaminants of a higher public health concern.”¹⁵ Instead, EPA deflects. First, it claims that listing microplastics on the draft Sixth Contaminant Candidate List (CCL 6), as it proposed in April 2026, is a “first step” that will “enable EPA to list microplastics on a future UCMR.”¹⁶ But that has no bearing on EPA’s legal obligations in response to the Governors’ Petition for *this* UCMR cycle. Moreover, as explained in FWW’s comments on CCL 6, listing microplastics there falls woefully short of the substantive action needed to confront the microplastics contamination crisis.¹⁷

Second, EPA claims that “there is no validated EPA or consensus drinking water analytical method” for microplastics monitoring and that “it is not feasible” to develop one for UCMR 6.¹⁸ But that has no bearing on EPA’s legal obligations, either. Even if it did (it does not), EPA provides no substantive update on where the agency is in its years-long development of a methodology or when it anticipates microplastics monitoring could begin, other than during

¹¹ 5 Gyres, Tiny Plastics, Big Opinions 10 (July 2025), <https://static1.squarespace.com/static/6537fd1a80e60f606d49aaff/t/687ed00306f41f153a704a94/1753141333338/Microplastics+Polling+Report.pdf>.

¹² *Id.*

¹³ Attach. 7, Letter from Public Health Professionals to EPA (May 18, 2026).

¹⁴ Proposed Rule, 91 Fed. Reg. at 39959.

¹⁵ 42 U.S.C. § 300j-4(a)(2)(B)(ii).

¹⁶ Proposed Rule, 91 Fed. Reg. at 39959.

¹⁷ FWW’s comments on the draft CCL 6 are attached and hereby incorporated by reference. Attach. 8, Letter from FWW to EPA (June 5, 2026).

¹⁸ Proposed Rule, 91 Fed. Reg. at 39959.

some future UCMR cycle.¹⁹ EPA also fails to explain in any significant detail why and how existing and emerging methodologies are inadequate.²⁰

EPA attempts to cite the Governors’ Petition as acknowledging the lack of a methodology, but that petition, and subsequent comments submitted by the Attorneys General of fourteen states and the District of Columbia on CCL 6, nowhere suggest that EPA’s delay in adopting methodologies, protocols, and/or guidance in any way justifies omitting microplastics from UCMR 6.²¹ To the contrary, the petition and the CCL 6 comments demand leadership and action from the agency now.²² They recognize that EPA has been in the process of developing a methodology and implore the agency to finalize it, along with other materials, and take the legally mandated and necessary step of including microplastics on UCMR 6.²³

EPA further claims that, due to its purported lack of a methodology, if it were to include microplastics on UCMR 6, “the agency and the public would lose an opportunity to gain occurrence information on other unregulated contaminants that have a drinking water analytical method available.”²⁴ Again, EPA sidesteps its legal obligations. Under the SDWA, the only circumstance in which the agency is permitted to exclude microplastics from UCMR 6 is if it makes a valid and specific determination regarding the relative level of public health concern associated with the other unregulated contaminants as compared to microplastics.²⁵ And it has not done so.

In short, EPA’s proposal to exclude microplastics from UCMR 6 with no attempt to meet the burden it faces under the SDWA as a consequence of the Governors’ Petition is unlawful.

II. Monitoring for microplastics through UCMR 6 is necessary to inform future regulation of these harmful contaminants without unreasonable delay.

Pursuant to the SDWA, EPA issues National Primary Drinking Water Regulations (NPDWRs) to limit contaminants in public water systems that pose risks to human health.²⁶ NPDWRs establish maximum contaminant levels (MCLs) for dangerous substances, like lead and PFAS, in drinking water.²⁷ UCMR data lay the groundwork for regulating contaminants under the SDWA.²⁸

¹⁹ *Id.*

²⁰ *Id.* (dispensing with microplastics in less than a page of the Proposed Rule).

²¹ *See generally*, Attach. 2, Governors’ Petition; Attach. 9, Letter from the Attorneys General of New Jersey, California, Connecticut, Delaware, District of Columbia, Illinois, Maryland, Massachusetts, Michigan, New York, North Carolina, Oregon, Vermont, Virginia, and Wisconsin to EPA (June 5, 2026) [hereinafter, Attorneys General Comments].

²² Attach. 2, Governors’ Petition at 3; Attach. 9, Attorneys General Comments at 3.

²³ Attach. 2, Governors’ Petition at 1, 3; Attach. 9, Attorneys General Comments at 1, 3.

²⁴ Proposed Rule, 91 Fed. Reg. at 39959.

²⁵ *See* 42 U.S.C. § 300j-4(a)(2)(B)(ii).

²⁶ *Id.* § 300g-1.

²⁷ *Id.*; EPA, National Primary Drinking Water Regulations, <https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>.

²⁸ 42 U.S.C. § 300g-1(b)(1)(B)(ii)(II) (providing that regulatory determinations shall be based on the “best available health information,” including data from the National Contaminant Occurrence Database.); *id.* § 300j-4(g)

EPA must regulate a contaminant if the following criteria are met:

- (i) the contaminant may have an adverse effect on the health of persons; (ii) the contaminant is known to occur or there is a substantial likelihood that the contaminant will occur in public water systems with a frequency and at levels of public health concern; and (iii) ... regulation of such contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems.²⁹

As discussed above and throughout the attached materials, microplastics threaten human health. And while studies have already shown that microplastics occur in drinking water,³⁰ the objective of the UCMR program is to “[c]ollect nationally representative drinking water occurrence data as the *primary source* of data that the EPA uses to inform the SDWA regulatory process and risk management decisions for drinking water contaminants.”³¹ UCMR data are important considerations for EPA when it makes regulatory determinations³² and, as such, will likely be key to the regulatory process for microplastics.

If EPA does not include microplastics on UCMR 6, the regulatory process for microplastics would be unreasonably delayed. As it stands, under the Proposed Rule (which is expected to be finalized by the end of the year³³), sample collection for UCMR 6 would occur from January 2028 through December 2030.³⁴ Even if EPA includes microplastics on the next UCMR—which is by no means guaranteed—and assuming it mirrors this proposed timetable, monitoring would not begin until 2033 and would not conclude until nearly a decade from now in 2035. And monitoring, as EPA admits, is only “one of the first steps” in the regulatory process.³⁵ From there, it could be years until the agency makes a regulatory determination and even longer until it finalizes any enforceable limits on microplastics in drinking water. Given that EPA must prioritize unregulated contaminants “that present the greatest public health concern” for regulatory determinations, taking into consideration, among other things, the impacts on

(describing the National Contaminant Occurrence Database; stating that it shall include monitoring data collected for unregulated contaminants); EPA, Revisions to Establish the Sixth Unregulated Contaminant Monitoring Rule (UCMR 6) Proposal for Public Comment, Public Webinar Presentation 16-17 (Aug. 11, 2026).

²⁹ 42 U.S.C. § 300g-1(b)(1)(A).

³⁰ See, e.g., Mary Kosuth et al., *Anthropogenic Contamination of Tap Water, Beer, and Sea Salt*, PLOS ONE (2018), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0194970>; Kate Albi et al., *Comparing in-home and bottled drinking water quality: Regulated and emerging contaminants in rural Central Appalachia*, 23 JOURNAL OF WATER & HEALTH (2025), <https://pubmed.ncbi.nlm.nih.gov/41026134/>.

³¹ EPA, Revisions to Establish the Sixth Unregulated Contaminant Monitoring Rule (UCMR 6) Proposal for Public Comment, Public Webinar Presentation 17 (Aug. 11, 2026) (emphasis added).

³² 42 U.S.C. §§ 300g-1(b)(1)(B)(ii)(II), 300j-4(g).

³³ Proposed Rule, 91 Fed. Reg. at 39959.

³⁴ *Id.* at 39956.

³⁵ *Id.* at 39957.

vulnerable populations like infants and children,³⁶ the years-long delays that would begin to accumulate with EPA's failure to include microplastics on UCMR 6 are unreasonable.

The health risks posed by microplastics are significant and require immediate action. EPA must include microplastics on UCMR 6 so that the regulatory process can proceed with the urgency the microplastics contamination crisis demands.

For the aforementioned reasons, Commenters urge EPA to include microplastics on UCMR 6.

Sincerely,

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Additional Commenters

100grannies.org
350 Bay Area Action
350 Colorado
350 Conejo / San Fernando Valley
350 Seattle
350Hawaii
AFGE Local 704
Alaska Community Action on Toxics
Algalita Marine Research and Education
Alliance for Democracy
Alliance of Nurses for Healthy
Environments
American Friends Service Committee
Amigos Bravos
Animals Are Sentient Beings, Inc.

Aytzim: Ecological Judaism
Bayou City Waterkeeper
Beaver County Marcellus Awareness
Community (BCMAC)
Between the Waters
Beyond Plastics
Beyond Plastics Greater Boston
Beyond Plastics Louisville
Beyond Plastics Montgomery County Md
Beyond Plastics Queens
Beyond Plastics Sullivan County
Breathe Project
Brookhaven Residents' Climate Change
Committee
Bucks Environmental Action

³⁶ 42 U.S.C. § 300g-1(b)(1)(C).

BYO - US Reduces

California Nurses for Environmental Health and Justice

Cayuga Climate Action

Cayuga Lake Environmental Action Now (CLEAN)

Center for Biological Diversity

Center for Environmental Health

Change Begins With ME Indivisible

Cherokee Concerned Citizens

Church Women United in New York State

Clean River Partners

Clean Water for North Carolina

CleanEarth4Kids.org

Climate Conversation Brazoria County

Climate Justice Alliance

Climate Reality Project Greater Gateway New Jersey Chapter

Coalition for Plastic Reduction

Coalition of Community Organizations

Coalition to Protect New York

Coastal Watch Association

Committee on the Middle Fork Vermilion River

Concerned Citizens of Indiana County

Concerned Health Professionals of Pennsylvania

Conscious Living

Corporate Accountability

DivestNJ

Dominican Sisters of Sparkill

Dominicans Sisters of Sinsinawa Peace and Justice Office

Don't Gas the Meadowlands Coalition

Don't Waste Arizona

Earth Ethics, Inc.

Ecology Center

Ecumenical Eco-Justice of St. Joseph

Elders Climate Action

Elders Coalition for Climate Action

Empathy United - Atlantic City Indivisible

Environmental Issues Team of Indivisible Santa Cruz County

Environmental Law & Policy Center

Environmental Protection Network

Finger Lakes Justice Partnership

Flow Water Advocates

FoCo Trash Mob, a Beyond Plastics Affiliate

FracTracker Alliance

FreshWater Accountability Project

Freshwater Future

Fridays for Future USA

Friends of the San Juans

George Wiley Center

Georgia Interfaith Power and Light

Grassroots Environmental Education

Great Lakes Great Responsibility

Greater Boston Physicians for Social Responsibility

Greater Highland Area Concerned Citizens

Greater New Orleans Interfaith Climate Coalition

Green Suttons Bay

GreenLatinos

Greenpeace USA	Move Past Plastic (MPP)
Groundwork Center	MoveOn.org/HobokenRESIST!
Health Professionals for a Healthy Climate	Nassau Hiking & Outdoor Club
Hoosier Environmental Council	New York Progressive Action Network
Illinois People's Action	New York Society for Ethical Culture
Indivisible Eastside	New Yorkers for Clean Power
Inland Ocean Coalition	North American Climate, Conservation and Environment (NACCE)
Inner City Neighborhood Art House	Northeast Metro Climate Action
Interfaith Environmental Network of Houston	Ohio River Foundation
It's Easy Being Green	Oil and Gas Action Network
Just Zero	Orange County Coastkeeper
Kentucky Waterways Alliance	Our Zero Waste Future
League of Conservation Voters	Owasco Lake Watershed Management Council
League of Women Voters of Indiana County	Passaic River Coalition
League of Women Voters Upper Mississippi River Region ILO	People Over Petro Coalition
Long Beach Gray Panthers	Physicians for Social Responsibility Pennsylvania
Lower Raritan Watershed Partnership	Physicians for Social Responsibility, Arizona chapter
Lower Susquehanna Riverkeeper Association	Post-Landfill Action Network
Mankato Area Zero Waste and Beyond Plastics Mankato Area	Presque Isle Audubon
Metro NY Catholic Climate Movement	Progressives for Climate
Micah Six Eight Mission	Protect Franklin Park
Michigan Microplastics Coalition	Protect Our Water, Heritage, Rights
Micronesia Climate Change Alliance	Public Health Committee of the Maine Medical Association
Mid-Ohio Valley Climate Action	Public Health Law Center
Milwaukee Riverkeeper	Puget Soundkeeper
Missouri River Bird Observatory	Resource Renewal Institute
MLK Coalition of Greater Los Angeles	Safer States
Mountain Watershed Association	San Antonio Bay Waterkeeper

Save Our Sodus
Seaside Sustainability
Seneca Lake Guardian
Sheffield Saves
Sisters of Charity of Seton Hill
Sisters of Mercy of the Americas Justice Team
South Seattle Climate Action Network
South Shore Audubon Society
Surfrider Foundation
Sustainable Farming Association of MN
Sustainable Tucson
Terra Advocati
The 5 Gyres Institute
The Cleanup Club
The Last Plastic Straw
The Water Collaborative of Greater New Orleans
Three Rivers Waterkeeper
Topanga Peace Alliance
Turtle Island Restoration Network
Unitarian Universalists for a Just Economic Community
United Native Americans
Upstream
Valley Forge Chapter of Trout Unlimited
Valley Improvement Projects
Vote Climate
Waterkeeper Alliance
Waterspirit
We the People of Detroit
WESPAC Foundation, Inc.

Willamette Riverkeeper
Winyah Rivers Alliance
Women's International League for Peace and Freedom US
Youth United for Climate Crisis Action (YUCCA)
Zero Waste Capital District, Inc.
Zero Waste Columbia
Zero Waste Detroit
Zero Waste Ithaca
Zero Waste Washington