



April 13, 2026

**Submitted via regulations.gov**

U.S. Environmental Protection Agency  
EPA Docket Center  
Drinking Water Contaminant Candidate List  
Docket (EPA-HQ-OW-2022-0946)  
Mail Code 28221T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**Re: Proposed Modification to List of Tracked Contaminants in Safe Drinking Water Act (SDWA)**

Dear Docket Center:

Students for Life of America (SFLA) is the nation's largest pro-life youth organization that uniquely represents the generation most targeted for abortion. SFLA, a 501(c)(3) charity, exists to recruit, train, and mobilize the Pro-Life Generation to abolish abortion and provide policy, legal, and community support for women and their children, born and preborn. SFLA and its members care about the environment, and its members nationwide have a vested interest in protecting the environment from pollution, protecting the nation's waterways from destruction, and preserving waters of the United States for future generations to see and experience. SFLA seeks to prevent the dumping of harmful contaminants originating with the pharmaceutical drug Mifepristone into the waterways of the United States and the inevitable harm that has and will continue to result to these waters and all their applications.

SFLA calls on the Environmental Protection Agency (EPA) to add the Contaminants – the Forever Chemicals in Chemical Abortion Pills – to its soon-to-be updated tracker, which falls under the authority of the Safe Drinking Water Act. 42 U.S.C. §300f et seq. (1974). The active metabolites in mifepristone include monodemethylated, didemethylated, and hydroxylated metabolites, all retain considerable affinity toward human progesterone and glucocorticoid receptors. Mifepristone has been detected in waste due to passing of contaminants found in blood and placenta tissue following induced abortion.

In light of abortion water pollution being released into the US waterways on a mass scale because of the distribution and home use of abortion pills, leading to pathological medical waste, we ask the EPA to track these contaminants to understand the scope of the concern, under the authority of the Safe Drinking Water Act's mandate to protect our waterways for the consumption



of all on American soil, as well as parallel authority under the Clean Water Act, and other laws, as detailed below.

## ***I. Background***

SFLA asks that mifepristone be tracked, given the reasonable cause for concern that regular and ongoing exposure to a progesterone blocker is impacting public health, endangered species, and the environment.

You don't have to be pro-life to want clean drinking water. You don't have to be pro-life to be concerned that we are being "microdosed" by progesterone blockers, which are a factor in rising infertility. The Guttmacher Institute reports (which cannot be verified as we have no National Abortion Reporting Law<sup>1</sup>) show that more than six in ten<sup>2</sup> abortions take place in a home-based setting. Using their calculations, that means that each year, more than 50 tons of chemically tainted blood and placenta tissue<sup>3</sup>, along with human remains, are flushed into America's waterways and not handled as pathological medical waste as would be demanded in a hospital or out-patient medical practice.

The EPA's concern for crystal clear, clean, drinking water, a goal of President Trump, is shared by the Pro-Life Youth Vote; we track the views of Millennials, Gen Z & Gen Y. The Demetree Institute for Pro-Life Advancement<sup>4</sup> polling conducted with mainstream pollsters show that nine in ten registered Youth voters support studies on the potential environmental impact of waste and drugs related to abortion, with 32% saying it is extremely important. And yet, EPA does not specifically regulate Mifepristone. That's what we want to address.

## ***II. Clean Water Act***

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

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<sup>1</sup> Jeff Diamant, Besheer Mohamed, and Rebecca Leppert, "What the data says about abortion in the U.S.," Pew Research Center, March 25, 2024, <https://www.pewresearch.org/short-reads/2024/03/25/what-the-data-says-about-abortion-in-the-us/#how-many-abortions-are-there-in-the-us-each-year>.

<sup>2</sup> Rachel K. Jones and Amy Friedrich-Karnik, "Medication Abortion Accounted for 63% of All US Abortions in 2023—An Increase from 53% in 2020", Guttmacher Institute, March 2024, <https://www.guttmacher.org/2024/03/medication-abortion-accounted-63-all-us-abortions-2023-increase-53-2020>.

<sup>3</sup> Kristi Hamrick, "BREAKING: MORE THAN 50 TONS OF HUMAN TISSUE & REMAINS DUMPED EACH YEAR as a result of Abortion Water Pollution", Students for Life Action, July 23, 2025, <https://www.studentsforlifeaction.org/breaking-new-report-from-students-for-life-notes-more-than-50-tons-of-human-tissue-remains-dumped-each-year-as-a-result-of-abortion-water-pollution/>.

<sup>4</sup> Kristi Hamrick, "Demetree Institute for Pro-Life Advancement YouGov/Survey USA 2025 Poll Results", Demetree Institute for Pro-Life Advancement, January 20, 2025, <https://www.instituteforprolifeadvancement.org/demetree-institute-for-pro-life-advancement-yougov-survey-usa-2025-poll-results/>.



Regulations are widespread and varied, such as regulation of Direct Discharge (to waters of United States including wetlands). 33 U.S.C. §1251 et seq. (1972).

The Safe Drinking Water Act<sup>5</sup> adds to that framework. The EPA and Occupational Safety and Health Administration (OSHA) impose strict guidelines for handling biohazardous waste. OSHA details proper disposal of infectious materials, such as disposal of blood and other potentially infectious materials (OPIM). Noncompliance can result in fines ranging from \$7,000 to \$70,000 per violation, depending on the severity of the infraction. Additionally, violations are also addressed by the Resource Conservation and Recovery Act (RCRA).<sup>6</sup> Criminal penalties exist if someone “knowingly ... [t]reats, stores, or disposes of a hazardous waste without a permit.” Water safety is solidly an issue for the federal government, and the EPA has been engaged in tracking new, potential harms in recent years.

SFLA noted this in a letter to the EPA:

In recent years, and largely in 2023, the EPA has increased its efforts to regulate per- and polyfluoroalkyl substances (“PFAS”). With rulemaking, guidance, published initiatives, newly established pollution standards, and more, the EPA has addressed concerns of pollution as a result of PFAS being released on large scales into the environment. The EPA’s increased understanding of the environmental harms these chemicals create has led it to take a closer look at the issue and ultimately implement new strategies and regulations to control the release of PFAS and monitor their impact more carefully. In implementing these new initiatives, the EPA has shown a commitment to monitoring and controlling the effect that a constant stream of chemicals and harmful substances – no matter how small those substances may be – may have on the environment.”<sup>7</sup>

These concerns were echoed by numerous other organizations, when they joined together last year in a letter to Congress, to address this:

In light of this effort, we urge you to direct the EPA to conduct regular and comprehensive environmental testing for the presence

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<sup>5</sup> EPA Office of Water, “Understanding the Safe Drinking Water Act”, June 2004, <https://www.epa.gov/sites/default/files/2015-04/documents/epa816f04030.pdf>.

<sup>6</sup> U.S. EPA “Summary of the Resource Conversation and Recovery Act 42 U.S.C. §6901 et seq. (1976)”, July 25, 2025, <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

<sup>7</sup> Students for Life Action, “Regulation of Mifepristone and its Environmental Effects in Light of the EPA’s Increased Regulation of PFAS in the Environment”, February 5, 2024, <https://www.studentsforlifeaction.org/students-for-life-of-america-submits-warning-letter-to-epa-about-the-environmental-harm-caused-by-mifepristone/>.



of the abortion drug mifepristone in the same manner as testing is conducted for ‘forever chemicals’ or PFAS chemicals. This data is needed to assess potential environmental harms from exposing aquatic animal and plant life and the people relying on them to mifepristone.<sup>8</sup>

Arguments that other uses of mifepristone contribute to the waste in large amounts are unfounded. A 2023 *New York Times* profile titled “The Father of the Abortion Pill”<sup>9</sup> makes it clear that French researcher, Dr. Étienne-Émile Baulieu, wanted to make an abortion drug.

“The hormone progesterone is pivotal in pregnancy because it prepares the uterus to receive and hold an embryo. What if progesterone could be prevented from delivering its cellular messages? ‘I wanted to create an anti-hormone,’ Dr. Baulieu said. “Dr. Baulieu called the concept ‘contragestion’ because it counteracted the gestation process. More simply, he wrote, ‘RU-486’s action is like jamming a radio signal.’”

And that signal-jamming concoction doesn’t stop with the women exposed.

The abortion lobby tries to argue that there is no evidence that abortion water pollution is a problem, and that mifepristone is used for all kinds of conditions, to explain away what is or is not in the water. Cushing Syndrome is their favorite go to, but as Kaiser reports<sup>10</sup>, about 1,000 people may be taking Korlym—a drug containing mifepristone – compared to the close to 643,000 Chemical Abortion deaths each year, according to the *Planned Parenthood*-founded *Guttmacher Institute*, it’s clear that abortion water pollution is not an issue driving by Cushing Syndrome.<sup>11</sup>

The two-pill regime that was approved for the ending of life in the womb was originally brought onto the market in 2000 during the Clinton Administration and has since been deregulated multiple times during the Obama and later Biden Administrations. In particular during COVID, a substantial shift took place, in which the Biden Administration allowed at home, no test distribution of Chemical Abortion Pills, despite the health risks to women, and resulting in what is now a vast issue with pathological medical waste in our national waterways. Neither hospitals

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<sup>8</sup> Students for Life Action, “SFLAction Spearheads Letter to Congress Demanding Action on Chemical Abortion Pollutants in Water Supply”, February 26, 2024, <https://www.studentsforlifeaction.org/sflaction-submits-new-letter-to-congress-demanding-action-from-epa-on-chemical-abortion-pollutants-in-water-supply/>.

<sup>9</sup> Pam Belluck, “The Father of the Abortion Pill”, *New York Times*, January 17, 2023, <https://www.nytimes.com/2023/01/17/health/abortion-pill-inventor.html>.

<sup>10</sup> Sarah Jane Tribble, “How A Drugmaker Turned The Abortion Pill Into A Rare-Disease Profit Machine”, *KFF Health News*, April 10, 2018, <https://kffhealthnews.org/news/how-a-drugmaker-turned-the-abortion-pill-into-a-rare-disease-profit-machine/>.

<sup>11</sup> Jones and Friedrich-Karnik, <https://www.guttmacher.org/2024/03/medication-abortion-accounted-63-all-us-abortions-2023-increase-53-2020#:~:text=New%20Guttmacher%20Institute%20research%20from,for%2053%25%20of%20all%20abortions.>



nor out-patient medical offices are permitted to flush blood, placenta tissue, and human remains. But a de facto permit for dumping has been issued through these policies.<sup>12</sup>

The Clean Water Act was passed by Congress in 1972<sup>13</sup> to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” 33 U.S.C. § 1251(a). The Clean Water Act, and the various definitions of “waters of the United States” (WOTUS), has spawned a vast array of regulations that define the extent to which the United States Environmental Protection Agency and the United States Army Corps of Engineers (hereinafter referred to collectively as the EPA) possess regulatory jurisdiction over the Clean Water Act. Congress has authorized the EPA to administer the Clean Water Act, 33 U.S.C. § 1251(d), and the United States Army Corps of Engineers to issue permits for projects on land or water under the Act’s jurisdiction. Congress has attempted to craft the Clean Water Act “to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution [and] to plan the development and use (including restoration, preservation, and enhancement) of land and water resources.” 33 U.S.C. § 1251(b).

Further, the purpose of the CWA is to provide a means to conserve the WOTUS and to bring these waters to certain fishable and swimmable standards; more specifically “to prevent, reduce, and eliminate pollution in the nation’s water.” 33 U.S.C. § 1251(a). The states are directed under Section 303 to adopt water quality criteria and standards. 33 U.S.C. § 1313. Section 313 of the CWA, codified at 33 U.S.C. § 1323 (Section 313), directs all Federal agencies to comply with these state water quality standards if they are engaged in any activity that results in or may result in the discharge or runoff of pollutants.

When the FDA made significant changes to the Mifepristone regimen labeling and REMS in 2016, 2019, 2021, and 2023, and approved a new generic in 2025, the agency failed to conduct any CWA review. This failure flies in the face of the CWA and must be corrected immediately—especially considering the FDA’s removal of the in-person dispensing requirement, which opened up the floodgates to home use and disposal of Mifepristone directly into our nation’s water supply. No one is examining whether this policy is a disaster for those human beings, fish, wildlife, and nature exposed down the line.

### ***III. National Environmental Policy Act***

In 1996, the Population Council submitted an Environmental Assessment under the National Environmental Policy Act (NEPA) to the FDA for Mifepristone. This was the only nod to environmental concerns. They said—then—there was a finding of no significant impact. The report claimed that the only real issue might be littering of the packaging. The FDA at that time

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<sup>12</sup> Reproductive Health Access Project, “The History of Mifepristone”, March 27, 2024, <https://www.reproductiveaccess.org/2023/04/history-of-mifepristone/>.

<sup>13</sup> Congress amended and reorganized the 1948 Federal Water Pollution Control Act in 1972 to such a significant degree that it became known as the Clean Water Act for the first time that year.



published that the approval of the drugs “will not have significant effect on the quality of the human environment and that an environmental impact statement therefore will not be prepared.”<sup>14</sup>

The Population Council said, “Mifepristone is a synthetic drug which will be administered orally to provide a medical approach to the termination of early pregnancy. Mifepristone may enter the environment from excretion by patients, from disposal of pharmaceutical waste, or from emissions from manufacturing sites.” They said, “Pharmaceutical waste will be disposed of by the manufacturer and The Population Council at licensed disposal facilities. At U.S. hospitals, pharmacies, or clinics, empty or partially empty packages will be disposed of according to standard procedures.”<sup>15</sup>

Further, “[t]he Center for Drug Evaluation and Research has concluded that the product can be manufactured, used, and disposed of without any expected adverse environmental effects. Adverse effects are not anticipated upon endangered or threatened species or upon property listed in or eligible for listing in the National Register of Historic Places.”<sup>16</sup>

That was then, this is now.

Additional Environmental Impact Statements (EIS) can be required if an agency makes substantial changes to the proposed action that are relevant to its environmental concerns. There are substantial new circumstances or information about the significance of adverse effects that bear on the analysis. When the Supreme Court took up the question in *Alliance for Hippocratic Medicine* in 2024, they did not address any of the substantive issues raised, instead kicking it back to the lower courts for lack of standing. But at the Fifth Circuit in August 2023<sup>17</sup>, when the court allowed the challenges to Chemical Abortion Pills to continue, the court found:

“Nothing in FDA’s approval of the amendments shows that it undertook a ‘serious, substantives reconsideration’ of the 2000 approval,” noting later, “Actually, the opposite is true.” The FDA just proceeded to deregulate without much thought at all, with the court finding, “The FDA admits that none of the studies it relied on examined the effects of implementing all those changes together.” Additionally, “Because the FDA failed to seek data on the cumulative effect, and failed to explain why it did not, its decision to approve the amendments was likely arbitrary and capricious.”

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<sup>14</sup> Center for Drug Evaluation and Research, Environmental Assessment and/or FONSI, Application Number 20-687, [https://www.accessdata.fda.gov/drugsatfda\\_docs/nda/2000/20687\\_Mifepristone\\_EA.pdf](https://www.accessdata.fda.gov/drugsatfda_docs/nda/2000/20687_Mifepristone_EA.pdf).

<sup>15</sup> *Id.* at page 1.

<sup>16</sup> *Id.* at page 4.

<sup>17</sup> *Alliance for Hippocratic Medicine, et al., v. U.S. FDA, et al.* 78 F.4th 210 (5th Cir. 2023), <https://fingfx.thomsonreuters.com/gfx/legaldocs/gdpzwwndevw/08162023abortion.pdf>.



In light of the policy clearly allowed by the federal government, we have asked that the metabolites of the abortion pills be included in your mandated, on-going track, nationwide. This request was first made to the Biden Administration that kicked the can down the road to now.

#### ***IV. Endangered Species Act***

When the FDA made significant changes to the Mifepristone regimen and REMS in 2016, 2019, 2021, and 2023, the agency simply failed to conduct any ESA consultation or environmental assessment. This failure flies in the face of the ESA and must be corrected immediately—especially in light of the FDA’s removal of the in-person dispensing requirement, which opened up the floodgates to do-it-yourself abortions at home and disposal of Mifepristone directly into our nation’s water supply.

The purpose of the ESA is to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide a program for the conservation of such species. Section 7 of the ESA, codified at 16 U.S.C. § 1536 (“Section 7”), directs all Federal agencies to participate in conserving these species. Specifically, Section 7(a)(1) of the ESA charges Federal agencies to aid in the conservation of listed species, and Section 7(a)(2) requires all federal agencies cooperate and consult with the Services to aid in the conservation of listed species and ensure that their activities are not likely to jeopardize the continued existence of federally listed species or destroy or adversely modify designed critical habitats.

*First*, in order to ensure compliance with the ESA, before taking action such as approving a drug or medication, a federal agency such as the FDA must first define the action area and submit a proposed list of impacted species or request from the Services a list of impacted species. The purpose of this is to encompass all listed species that may be impacted by the proposed agency action. The species list must include all listed and proposed species and designated critical habitats that may be present in the action area. The action area must not neglect indirect effects, such as stormwater run-off, or the effect felt in wastewater or wastewater effluent and the route it takes to public waterways. And because there are no geographical limitations to the FDA’s approval of mifepristone, the relevant action area is the entire United States and its territories.

*Second*, the FDA must determine whether the proposed action *may affect* a Section 7 resource, or a species on the aforementioned list. This is done through assessments of the direct or indirect effects mentioned previously.<sup>18</sup> Every listed species or habitat must be analyzed through this lens. As discussed below, the “may affect” designation is a low bar. And given the nationwide action area and known potential effects of Mifepristone, a “no effect” determination cannot apply to the FDA’s actions on Mifepristone. The “no effect” determination applies only in very limited

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<sup>18</sup> Direct effects are those that are caused by the action, while indirect effects are those that are caused by the action and are later in time, but still are reasonably certain to occur.



circumstances, such as when the species ranges and critical habitat do not overlap with the action area.

*Third*, if the proposed action *may affect* a Section 7 resource, the FDA must enter into “information consultation” with the Services to analyze the aforementioned potential direct and indirect, adverse, and beneficial effects of the action on the Section 7 resources that may be affected. The ESA requires clear documentation (i.e., a Biological Assessment or Biological Evaluation) that there is a determination being made, regardless of the effect itself. And the Services must expressly concur in writing with any determination that the action is not likely to adversely affect any Section 7 resources.

Finally, in instances where an adverse effect is *likely*, the ESA requires a “formal consultation” between the FDA and the Services wherein the FDA would submit further documentation to the Services and provide a full Biological Opinion on the impact, in this case of Mifepristone, would have on any listed species or habitats. Beyond this, the FDA would be required to show Mifepristone would not jeopardize, destroy, or adversely affect listed species or habitats, and if it does, then either seek an exemption or provide for reasonable and prudent alternatives.

#### ***V. Students For Life of America’s Original Water Testing***

To illustrate the reality mifepristone waste, SFLA designed and conducted what is now a peer-reviewed test. Anti-Progesterone in Environmental Water is an examination of steroid hormones and other endocrine-disrupting compounds (EDCs) and whether they are present in environmental water, with implications for human and wildlife health.

We wanted to see if mifepristone would pass through the woman’s body and enter the water stream without being metabolized or changed. Water samples were collected from sites upstream and downstream of water treatment facilities, and from municipal tap water, from each of 3 American cities. The findings indicate the necessity for additional investigation into the levels of various hormones and EDCs, including mifepristone, in water sources.

We found that Forever Chemicals of Chemical Abortion pills were in the water where we tested at three locations, and at two of those three, we found that the Maximum Containment Level for the EPA of 4 parts for trillion had been tragically met.<sup>19</sup> This paper has been submitted for publication.

#### ***VI. Conclusion***

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<sup>19</sup> U.S. EPA, “Per- and Polyfluoroalkyl Substances (PFAS) Final PFAS National Primary Drinking Water Regulation”, May 21, 2025, <https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>.



Not only have studies in other countries and the United States shown the presence of containments of concern, but SFLA’s own study illustrates that when it comes time for next steps—to create a protocol for tracking this pharmaceutical contamination—there is a framework available.

SFLA looks forward to working alongside the EPA to provide comment and support for adding mifepristone—by any name—and its active metabolites to on-going tracking, in light of the mandate found in the Safe Water Drinking Act, the Clean Water Act, and the incredible body of law and policy designed to protect all life, human, animal, aquatic, and plant, which rely on clean water to survive and thrive.



**STUDENTS  
FOR LIFE**  
OF AMERICA®

Sincerely,

/s/

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Kristan Hawkins  
President  
STUDENTS FOR LIFE OF AMERICA  
1000 Winchester Street, Suite 301  
Fredericksburg, VA 22401  
(540) 834-4600

/s/

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Tina Whittington  
Executive Vice President  
STUDENTS FOR LIFE OF AMERICA  
1000 Winchester Street, Suite 301  
Fredericksburg, VA 22401  
(540) 834-4600

/s/

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Kristi Hamrick  
Vice President of Media & Policy  
STUDENTS FOR LIFE OF AMERICA  
1000 Winchester Street, Suite 301  
Fredericksburg, VA 22401  
(540) 834-4600