

**From:** ACWA <acwabox@acwa.com>  
**Sent:** Wednesday, April 10, 2024 10:54 AM  
**To:** Jennifer Blackman  
**Subject:** Federal Advisory: EPA Announces National Regulation for PFAS



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# ACWA ADVISORY

FEDERAL | PFAS  
**April 10, 2024**

## **EPA Announces National Regulation for PFAS**

The U.S. Environmental Protection Agency has announced a new national maximum contaminant level (MCL) of 4.0 parts per trillion (ppt) for PFOA and PFOS as individual contaminants and a standard of 10 ppt for three other chemicals — PFNA, PFHxS, and HFPO-DA (commonly referred to as GenXChemicals). In addition, EPA will utilize a hazard index to regulate mixtures of PFHxS, PFNA, HFPO-DC and PFBS.

This enforceable rule requires public water systems to monitor for these PFAS, notify the public of the levels of these PFAS and reduce the levels of these PFAS in drinking water if they exceed the MCL. Utilities will have five years to come into compliance with the rule.

ACWA previously supported EPA's efforts to address PFAS contamination and protect public health through setting drinking water standards that are based on sound science and robust analysis. Unfortunately, the MCL is not feasible because the anticipated costs of complying are not adequately captured under EPA's cost assessment.

### **Background**

The EPA regulation of PFAS through the Safe Drinking Water Act began in 2009. The draft PFAS regulation was published in 2023 with a 60-day comment period and ACWA submitted comments at that time. ACWA's comments call for less focus on a regulatory approach and a greater focus on eliminating PFAS in consumer products, source control, and destruction

technology as well as holding PFAS polluters accountable. These steps are necessary to achieve progress in mitigating PFAS risks and exposure.

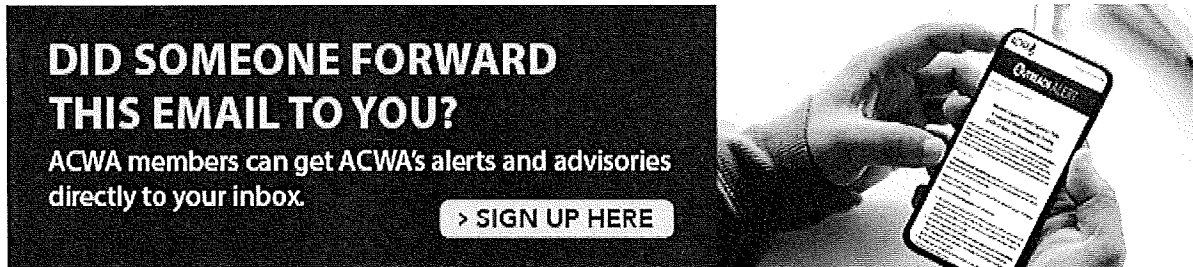
ACWA encouraged EPA to take more proactive measures to identify sources of PFAS and limit their discharges, as prevention is more cost-effective than attempting to clean up pollution. ACWA also stressed the importance of maintaining the “polluter pays” principle under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Under this principle the entities responsible for PFAS pollution are held accountable for costs associated with cleanup, not water ratepayers.

### California Regulation

In a separate effort, the California Office of Environmental Health and Hazard Assessment on April 5 adopted and published public health goals of 0.007 ppt for PFOA and 1.0 ppt for PFOS. A public health goal is a drinking water objective that does not pose a significant risk to health and is not an enforceable standard. The State Water Resources Control Board listed developing a PFAS MCL as a 2024 Drinking Water Priority.

### Questions

For questions regarding the new MCL, please contact ACWA Director of Federal Relations Ian Lyle at (202) 434-4765.



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