Update: EPA PFAS Regulatory and Policy Issues

EPA Federal Facilities Restoration and Reuse Office
15 November 2023
EPA’s Proposed Action for the PFAS NPDWR

- EPA is proposing a National Primary Drinking Water Regulation (NPDWR) to establish legally enforceable levels, called Maximum Contaminant Levels (MCLs), for six PFAS in drinking water.
  - PFOA and PFOS as individual contaminants, and
  - PFHxS, PFNA, PFBS, and HFPO-DA (commonly referred to as GenX Chemicals) as a PFAS mixture

- EPA is also proposing health-based, non-enforceable Maximum Contaminant Level Goals (MCLGs) for these six PFAS.
  - MCLGs are the maximum level of a contaminant in drinking water where there are no known or anticipated negative health effects allowing for a margin of safety.

EPA’s PFAS NPDWR website: [https://www.epa.gov/sdwa/and-polyfluoroalkylsubstances-pfas](https://www.epa.gov/sdwa/and-polyfluoroalkylsubstances-pfas)
IRIS PFAS Toxicity Values
https://www.epa.gov/iris/iris-program-outlook

Newly Finalized
- PFBA
- PFHxA

Draft for Public Review
- PFDA
  April 2023
- PFHxS
  July 2023

Up Next
- PFNA
  Public Comment
  FY24/Q1
• RSL tables will be updated more frequently than regulations.
  • Regulations are not needed to take action
  • RSL Table will be updated soon
• PFAS data will be screened using updated RSLs using a hazard quotient of 0.1 if more than one PFAS (or other contaminants) are present.
  • Rarely do we see only one PFAS
  • Usually there are other legacy contaminants present
• Risks from exposure to all PFAS chemicals will be considered.
  • Quantitatively, starting with data in RSL tables along with ARARs, including MCLs and State promulgated values.
  • Qualitatively, including PFAS we can measure but have not tox values.
• Risk calculations will include all relevant contaminants, not just PFAS
  • RAGS Guidance
EPA’s Destruction and Disposal Guidance

2023 Update

• Incorporate new science
• Re-examine data gaps and uncertainties
• Include an example SOP to screen for vulnerable populations near vendors
No Shortage of PFAS Challenges

**Legal and Policy**
- Regulator review and comment on PAs and SIs
- No Further Action decisions
- Use of state values
- RSLs and screening values

**Technical**
- Use of pilot studies
- Use of models
- Risk assessment
Questions