Update: EPA PFAS Regulatory and Policy Issues

EPA Federal Facilities Restoration and Reuse Office

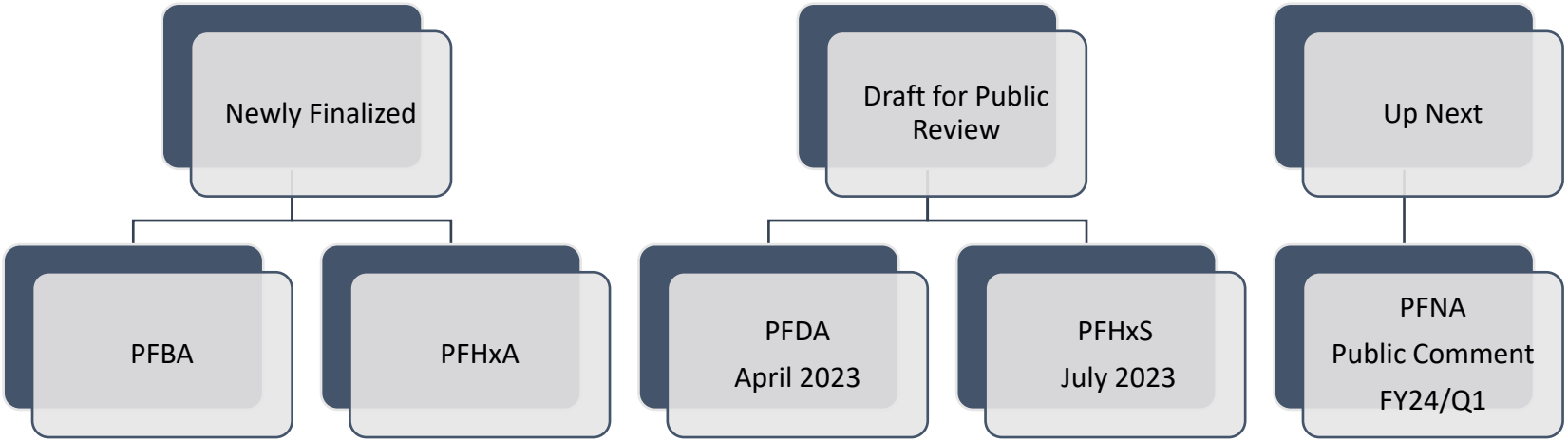
15 November 2023

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

IRIS PFAS Toxicity Values
https://www.epa.gov/iris/iris-program-outlook



IMPLICATIONS

- **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