Association of Clean Water Administrators' 2019 National NPDES Permit Writers Workshop, Washington, DC September 18, 2019 TRACK 2: Program Challenges

# **PFAS/PFOS:** They are EVERYwhere

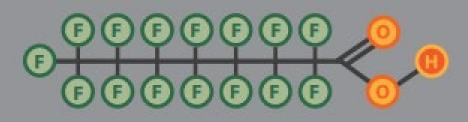
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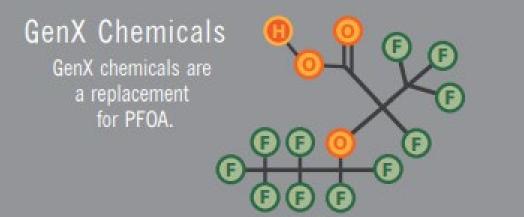
## WHAT ARE PFAS?

- Synthetic chemicals: PFOA, PFOS, GenX and over 4000 other have been manufactured and used in a variety of industries worldwide since the 1940s (OECD 2018, Guelfo et al. 2018).
  - Perfluorooctanoic Acid (PFOA)
  - Perfluorooctane Sulfonate (PFOS).

### PFOA & PFOS

U.S. manufacturers voluntarily phased out PFOA and PFOS, two specific PFAS chemicals.





## WHERE DO I FIND PFAS?

Many PFAS are:

- chemically and thermally stable
- carbon-fluorine bonds
- demonstrated resistance to heat, water, & oil

Therefore, used in or as:

- firefighting foams,
- chemical processing,
- building/construction materials,
- aerospace,
- Electronics and semiconductor industries
- automotive industries,
- stain- and water-resistant coatings (e.g., carpets and rain repellent clothing), food packaging,
- waxes and cleaners



## HOW AM I EXPOSED TO PFAS

Primary Contact Routes

- Consuming food that came into contact with PFAS-containing products (e.g., some microwaveable popcorn bags and grease-resistant papers/e.g., pizza boxes);
- Contact with stain- and water-repellent textiles (e.g., carpet, clothing and footwear),
- Cooking in nonstick products (e.g., cookware), polishes, waxes, paints, and cleaning products;
- Dust from commercial household products
- Employment in Manufacturing facility that makes or uses PFAS

#### Exposure due to Contaminations

- Consuming plants and meat from animals/fish that have accumulated PFAS;
- Drinking water exposed from a specific facility (e.g., manufacturer, processor, landfill, wastewater treatment, or facilities using PFAS-containing firefighting foams);
- In utero fetal exposure, early childhood exposure via breastmilk from mothers exposed to PFAS.

## PREVIOUS EPA WORK ON PFAS

### Toxic Substances Control Act [TSCA]

• 2006 PFOA Stewardship Program -

8 major chemical companies eliminated the use of PFOA and PFOA-related chemicals and as emissions from their facilities as of 2015

Arkema	BASF (Ciba)	Daikin	Dupont
Asahi	Clariant	3M / Dyneon	Solvay Solexis

- Various significant new use rules (SNURs) to guard against the unreviewed reintroduction and new use,
- Although no longer manufactured in US, consumer goods can be imported

# PREVIOUS EPA WORK ON PFAS

### Safe Drinking Water Act[ [SDWA]

- 4<sup>th</sup> Contaminant Candidate List (USEPA 2018c): Included PFOA and PFOS Worked with states and public water systems to characterize the occurrence of six PFAS in the nation's drinking water
- Unregulated Contaminant Monitoring Rule (UCMR), published in 2012 Included 6 contaminants that are suspected to be present in drinking water and do not have standards set under the SDWA From 22013-2015, collected data:
  - PFOA, PFOS, PFBS, PFNA, PFHxS, and perfluoroheptanoic acid (PFHpA).
  - Nearly 5,000 public water systems across the nation (accounting for approximately 80% of the U.S. population served by public water systems) (USEPA 2016c).

Lifetime Health Advisories for two PFAS (PFOA and PFOS) released in 2016

# PREVIOUS EPA WORK ON PFAS

### Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Currently, PFOA and PFOS are considered CERCLA pollutants or contaminants (not hazardous substances)

=> federal response/cleanup authority exists

 Initiated regulatory development process to designate PFOA and PFOS as CERCLA "hazardous substances"

=> extends CERCLA orders, cost recovery authorities to address affected communities

#### Agency for Toxic Substances and Disease Registry (ATSDR)

- Released draft toxicological profiles for multiple PFAS, including Minimal Risk Levels (MRLs): PFOA, PFOS, PFHxS, and PFNA
- When finalized, serve as screening tools to determine areas and populations potentially at risk for exposure, can be used as a mechanism to identify hazardous waste sites that are not expected to cause adverse health effects (ATSDR 2018a).

## BACKGROUND ON PFAS ACTION PLAN DEVELOPMENT

- May 2018: EPA convened a two-day National Leadership Summit
  - More than 200 federal, state, and local leaders from across the country
- Summer of 2018: Community Engagement Events
  - Exeter, New Hampshire,
  - Horsham, Pennsylvania,
  - Colorado Springs, Colorado,
  - Fayetteville, North Carolina, and
  - Leavenworth, Kansas
  - Kalamazoo, Michigan (roundtable)
  - Spokane, Washington (tribal representatives)
- Approximately 120,000 comments submitted to the public docket.

## EPA'S PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) ACTION PLAN

Issued February 14, 2019

- Demonstrates the agency's critical national leadership by providing both short-term solutions and long-term strategies to address this important issue.
- Provides a multi-media, multi-program, national research, and risk communication plan to address this emerging environmental challenge.
- Responds to the extensive public input the agency has received over the past year during the PFAS National Leadership Summit, multiple community engagements, and through the public docket.

EPA is taking a proactive, cross-agency approach to addressing PFAS.

https://www.epa.gov/sites/production/files/2019-02/documents/pfas\_action\_plan\_021319\_508compliant\_1.pdf

## HUMAN HEALTH ADVISORIES AND IMPACT INFORMATION

HTTPS://WWW.EPA.GOV/GROUND-WATER-AND-DRINKING-WATER/DRINKING-WATER-HEALTH-ADVISORIES-PFOA-AND-PFOS

#### **PFAS Exposure and Occurrence**

- Developed a laboratory method for measuring PFOS, PFOA and 12 other PFAS in drinking water (EPA Method 537) 2008
- Conducted monitoring for PFAS in drinking water under the third <u>UCMR</u> 2012
- Released EPA's Drinking Water Health Advisories for PFOS/PFOA 2016
- Expanded the current drinking water <u>Method 537 to include GenX chemicals and additional PFAS (537.1) 2018</u>

#### **Human Health Impacts of PFAS**

- Provided provisional <u>Peer Reviewed Toxicity Values for PFBS</u> for use in site decision making 2014
- Developed draft human health toxicity values for GenX and PFBS comment period ended January 2019
- Ongoing: Identified the universe of PFAS currently being manufactured and used
- Ongoing: Posted on <u>HERO</u> Health and Environmental Research Online:
  - scientific literature on PFAS toxicity
  - data obtained under TSCA authority for GenX chemicals (acid and salt)

## ONGOING EFFORTS TO REDUCE PFAS EXPOSURES

- Outlined drinking water treatment processes for <u>PFOA</u>/<u>PFOS</u> in drinking water in EPA's <u>Drinking Water Treatability Database</u> for multiple PFAS (May 2018 + Ongoing)
- Developing groundwater cleanup recommendations for PFOA/PFOS public comment open April June 2019
- Continuing site-specific technical assistance to identify and reduce PFAS exposures
- Proposed rulemaking: "Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances"
- Advanced Notice of Potential Rulemaking
  - Addition of Certain PFAS Chemicals to Toxics Release Inventory

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## <u>NEXT</u>: