

Partnering on PFAS – Wastewater and Biosolids

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ECOS 2020 STEP Meeting
July 29, 4:00-4:45pm ET

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Background on NACWA & PFAS

- [EPA Action Plan](#) (February 2019); [EPA Action Plan Update](#) (February 2020) –
 - Details expansive regulatory path forward (short and long-term)
 - PFAS considerations across all environmental media/environmental statutes (CERCLA, TSCA, RCRA, SDWA, CWA, CAA)
- As EPA develops regulatory approach, [states are moving quickly](#) – some states are:
 - Identifying areas of significant contamination (groundwater);
 - Establishing stringent drinking water standards;
 - Requiring wastewater influent/effluent sampling, biosolids sampling and even issuing moratoriums on land application;
 - Bottom line – we have an emerging and inconsistent patchwork of different regulatory requirements;
 - Challenging for the water sector and the businesses that rely on it = must have regulatory consistency/reliability
- Congress continues to push EPA to Act –
 - NACWA seeks to avoid a predetermined legislative outcome for PFAS before EPA completes a more grounded evidence-based scientific approach (which takes time!)

Clean Water Sector Perspective – Where Things Are Headed

- Water and wastewater utilities are “passive receivers” of PFAS from both industrial and domestic inputs
 - NACWA published [A Clean Water Utilities Guide to Considering Source Identification, Pretreatment, and Sampling](#) (Nov. 25, 2019).
- Public clean water agencies = environmental/public health stewards managing billions of gallons of wastewater daily
 - We will do our share but the regulatory process must play out (e.g., presence of a chemical does not equate to risk; very low concentrations (parts per trillion) and dealing with legacy contamination and ongoing use in everyday consumer products);
 - Limited biosolids management options.
- Continued Engagement with EPA, States, and Members of Congress
 - EPA working on [Effluent Limitation Guideline Plan 14](#) that will detail the path forward for industrial dischargers and begin to look into Pretreatment/Effluent Limitations;
 - EPA working on biosolids problem formulation (first step in risk assessment);
 - EPA continuing to develop analytical methods acceptable for wastewater;
 - EPA helping to identify sources through listing 172 PFAS on Toxic Release Inventory;
 - [NDAA 2020](#) (passed December 2019) – major focus on Department of Defense and contamination at military bases; push for EPA to mandate CERCLA hazardous substance designation (ultimately failed);
 - NDAA 2021, Water Resources Development Act, and Appropriations are all in the works now and NACWA working to ensure that public utilities do not bear the costs to clean up PFAS
- **BOTTOM LINE: MANUFACTURERS WHO PROFITED OFF PFAS SHOULD PAY – NOT THE RATEPAYER/TAXPAYER**

Clean Water Agencies and Covid-19

- Given Revenue Impact from Covid-19 (~\$30 billion in revenue loss), getting it right in the regulatory context is more important than ever;
- Public service of clean water agencies highlighted by efforts to surveille raw wastewater influent for SARS-CoV-2 RNA genetic material to predict trends and community spread – Munis, States, Feds, Industry and Academia all working together for a shared goal.
- RNA is inactive and does not pose a risk of infectability; just because we can detect a genetic signal (or as it relates to PFAS – a certain trace level) this does not mean there is a risk.



NACWA's Strength is in our Members.

NACWA is the nation's recognized leader in clean water advocacy for public utilities, made possible through the collective voice of our members.

For more information on PFAS, contact NACWA's Emily Remmel at eremmel@nacwa.org.

Learn more at www.nacwa.org