PFAS Litigation and Regulatory Developments Conference

HOW TO ADDRESS THE REMOVAL OF PFAS IN DRINKING WATER

Christopher C. De Carlo, CHMM, LSRP

Technical Director, Environmental Insurance
The Vertex Companies
Somerset, NJ

How to Address PFAS in Drinking Water

CURRENT REGULATORY ENVIRONMENT

- Final PFAS National Primary Drinking Water Regulation for per and polyfluorinated substances (PFAS) was issued on April 10, 2024
- Six PFAS are now regulated under the Safe Drinking Water Act (SDWA) and are provided with Maximum Contaminant Levels (MCLs)
  - Perfluorooctanoic acid (PFOA)
  - Perfluorooctane sulfonic acid (PFOS)
  - Perfluorononanoic acid (PFNA)
  - Perfluorohexane sulfonate (PFHxS)
  - Hexafluoropropylene Oxide-Dimer Acid (HFPO-DA)
  - Perfluorobutane sulfonate (PFBS)

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CURRENT REGULATORY ENVIRONMENT

Chemical	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant Level (MCL)
PFOA	0	4.0 ppt
PFOS	0	4.0 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX chemicals)	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
Mixture of two or more: PFHxS, PFNA, HFPO-DA, and PFBS	Hazard Index of 1	Hazard Index of 1

*Compliance is determined by running annual averages at the sampling point

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RULE IMPLEMENTATION

- Applies to Public Water Systems (PWS) Only – Under the Rule a PWS must:
  - Conduct initial and ongoing compliance monitoring for the regulated PFAS
  - Implement solutions to reduce regulated PFAS in their drinking water if levels exceed the MCLs
  - Inform the public of the levels of regulated PFAS measured in their drinking water and if an MCL is exceeded

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RULE IMPLEMENTATION

- April 10, 2027
  - Initial Monitoring Must be Complete by PWS
- April 10, 2029
  - Initial Monitoring Results Must be Included In Consumer Confidence Reports (CCRs)
  - Regular Monitoring for Compliance Must Begin
  - PWS Must Provide Public Notifications for Monitoring and Testing Violations

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CONNECT TO AN EXISTING WATER PROVIDER

FIND A NEW WATER SOURCE

REMOVAL TECHNOLOGY

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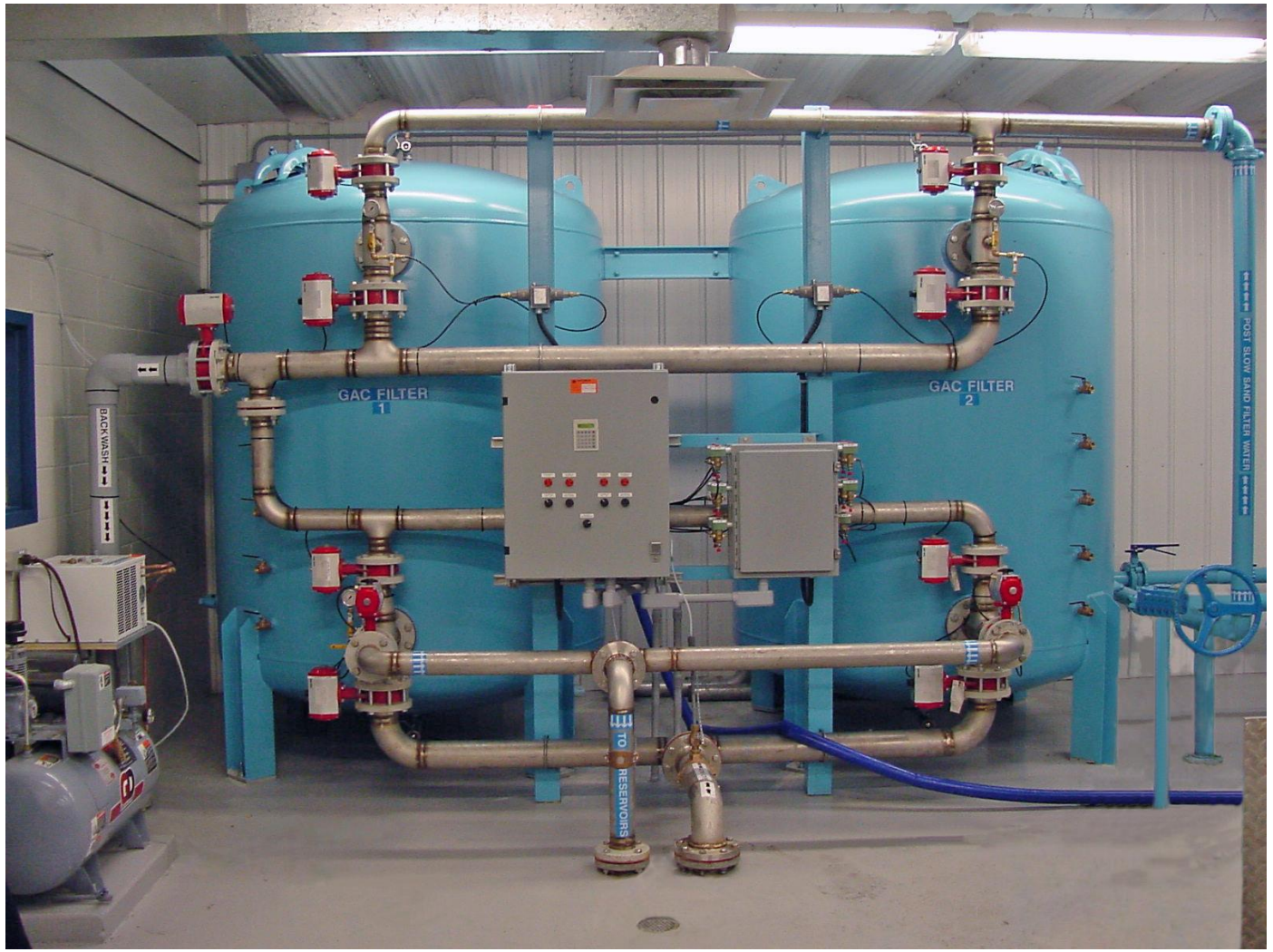
REMOVAL TECHNOLOGIES - ADSORPTION



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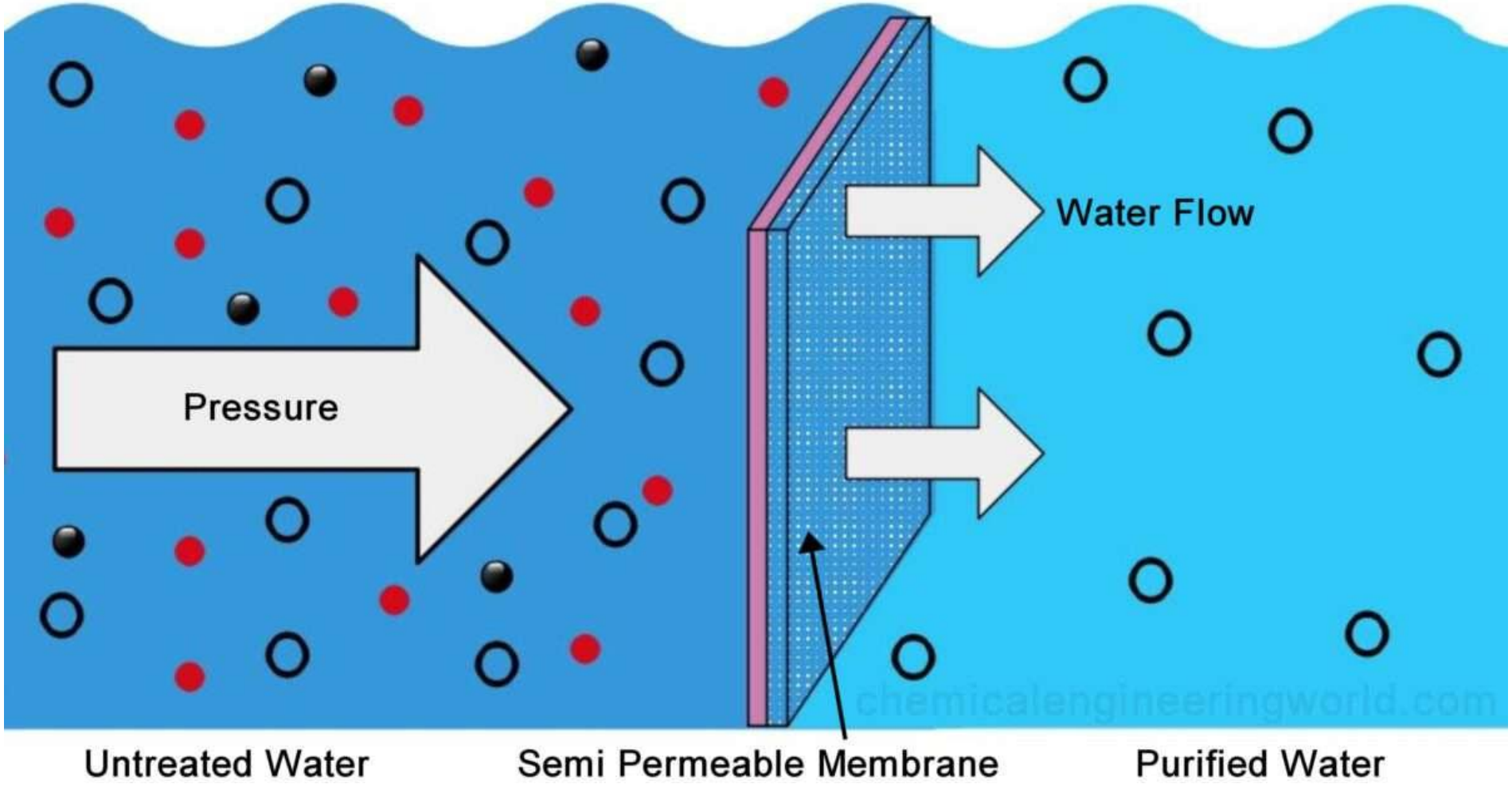
REMOVAL TECHNOLOGIES – MECHANICAL REMOVAL



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WASTE GENERATION AND DISPOSAL

- PFAS are concentrated with treatment – require disposal
  - Thermal Destruction
  - Solidification and Land Disposal
  - Underground Injection Well

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- Enacted under the Infrastructure Investment and Job Act
- Appropriated funds under SDWA for addressing PFAS in drinking water in small or disadvantaged communities
- $1B will be made available to eligible water supply systems annually b/t FY2022 through FY2026

Emerging Contaminants Small or Disadvantaged Communities (EC-SDC) Grant Program

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- Funding is allocated to states who will then award funds to eligible entities as loans
  - Public or private community water systems
  - Non-profit non-community water systems
- Loan repayments revolve back into the fund for future loans.

Drinking Water State Revolving Fund Bipartisan Infrastructure Law Emerging Contaminants Funding (DWSRF EC)

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- Funding is allocated to states who will then award funds to eligible entities
- Eligible entities are dependent on the project type and may include municipalities, intermunicipal, interstate or state agencies; non-profit entities; private, for-profit entities; watershed groups; community groups; homeowner's associations; and individuals.

Clean Water State Revolving Fund Bipartisan Infrastructure Law Emerging Contaminants Funding (CWSRF EC)

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- States have programs to assist single family potable wells
- Insurance policies will fund water treatment when coverage is triggered

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- Site is a clothing manufacturing that applied water/stain resistant coatings to clothing – no emission controls on waste stack due to lack of regulation
- Previous RCRA Corrective Action due to presence of chlorinated VOCs – PFAS were added to sample protocol due to new State regulation
- PFAS identified in on-Site groundwater – State mandated investigation of surrounding potable wells. PFAS identified in wells at concentrations orders of magnitude in excess of the regulatory limit
- IRMs include installation of POET systems on dozens of potable wells – future remediation will likely exceed $10M

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Questions & Discussion

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For More Information

Christopher C. De Carlo
Technical Director
732.284.3036
cdecarlo@vertexeng.com

Tori Spina
732.410.4544
vwardamasky@vertexeng.com