

PFAS Legal/Regulatory Update

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Pending PFAS Issues

- Designation under Superfund
- Federal drinking water standards
- Analytical test methods approval
- Human health water quality criteria
- Federal storm water permit (MSGP)
- PFAS terms in NPDES permits
- Waste management requirements and cleanup liability

Details on PFAS Issues

- Designation under Superfund: In litigation, EPA decision by Sept. 17
- Federal drinking water standards: in litigation, EPA has stated that will remove some standards, but leave PFOA/PFOA 4 ppt standards in place
- Analytical test methods approval: EPA proposed approval, comments filed, EPA decision likely by end of year

More Details on More PFAS Issues

- Federal storm water permit (MSGP): Draft includes PFAS testing requirements; comments filed, waiting for EPA decision
- PFAS provisions in NPDES permits
 - USEPA issued memo on 12/5/22
 - IEPA is including requirements in permits
 - Testing requirements
 - Minimization plan provisions
- Waste management and cleanup liability
 - PCB adopted PFAS groundwater standards
 - Relief may be needed as standards implemented

Questions?

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