

MassDEP

Proposed Drinking Water Regulations to Address PFAS Contamination

Water Resources Commission
February 13, 2020



Proposed Standard

- Regulations establish a new Maximum Contaminant Level (MCL) for Total PFAS
- Proposed PFAS MCL is **20 ppt** for the sum of six PFAS: PFOS, PFOA, PFHxS, PFNA, PFHpA and PFDA
- Based on MassDEP's Office of Research and Standards assessment of toxicology information (available on MassDEP website)



Applicability to Public Water Systems

MCL Applies to:

- Community Water Systems (year-round residential customers)
- Non-transient, Non-Community Water Systems (NTNCs)
 - Schools/Daycares, Larger Businesses (25+ employees)

MCL does not apply to:

- Transient, Non-Community Water Systems (TNCs)
 - Recreational Areas, Campgrounds, Hotel/Motels, Small Businesses
- Consecutive Systems (those that purchase all their water)

Roll-Out of Rule

- COM and NTNC subject to full rule
- Implementation by Population Served

>50,000	20 PWS (pop = 4.3M)	4/1/2020
>10,000 & ≤50,000	106 PWS (pop = 2.6M)	10/1/2020
≤10,000	569 PWS (pop = 708K)	10/1/2021
- TNC (792 PWS) are not subject to MCL but must collect one sample at each entry point



PFAS Monitoring

- Initial Year of Quarterly Monitoring
 - Existing results can substitute on a 1:1 basis
 - Option to Waive Third and Fourth Quarter
- Routine Monitoring (one year of every three)
- Increased Monitoring (Monthly, Quarterly or Annually depending on PFAS levels and Treatment)
- Monitoring Waivers available along with other options to reduce the monitoring burden

Analysis and Electronic Reporting

- Labs must use Methods 537 or 537.1 to analyze samples for PFAS; Method 533 was just released by EPA and MassDEP is open to comments on whether or not to approve its use
- Minimum Reporting Level (MRL) of 2 ppt for the six PFAS in the MCL
- Analysis/Reporting must include all PFAS in Scope of Method
- Monitoring Results must be Reported via eDEP (once eDEP allows for it)

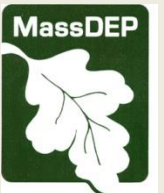


Consumer Notification

- Consumer Notification triggered by a confirmed result greater than the MCL
 - PWS not yet in violation but sensitive consumers need to avoid consumption
- PFAS monitoring results will be available on the EEA Data Portal
(<http://eeaonline.eea.state.ma.us/portal#!/home>)
- All Community PWS must publish their PFAS sampling results in their annual Consumer Confidence Report

MCL Violations

- MCL is violated when three months of sampling results exceed the 20 ppt level
 - Or if PFAS levels from one or two months are high enough to identify a violation regardless of subsequent monthly results
- Sample Results $<MRL$ and $\geq 1/3MRL$ Count as $1/2MRL$ for that PFAS in MCL Calculation
- Tier 2 Public Notice for MCL Violations



Comments Due February 28

<https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations#proposed-amendments-public-comment>

Submit comments on the draft regulations, along with your name and contact information, to:

Email: program.director-dwp@mass.gov with *PFAS MCL Comments* in the subject line,

or

Mail: MassDEP Drinking Water Program, 1 Winter Street, 5th Floor, Boston, MA 02108 Attn: PFAS MCL Comments

