



PFAS Drinking Water Standard (MCL) Development Stakeholder Group Meeting

Thursday, April 11, 2019 (10:00-12:30)

MassDEP, One Winter Street, Boston, MA

Today's Agenda

Time	Topic	Presenter
10:00 – 10:15	Welcome, introductions, and summary of MCL development stakeholder engagement process	Stephanie Cooper, Deputy Commissioner for Policy
10:15 – 10:30	PFAS Updates, including: <ul style="list-style-type: none"> • PFAS drinking water values in other jurisdictions • PFAS detections in public water supplies • Status of forthcoming proposed groundwater cleanup standards for waste site cleanups • Consideration of a revised Office of Research & Standards Guideline (ORSG) • Other PFAS activities at MassDEP 	Doug Fine, Assistant Commissioner for Water Paul Locke, Assistant Commissioner for Waste Site Cleanup
10:30 – 11:50	Drinking Water Maximum Contaminant Level (MCL) Process, including: <ul style="list-style-type: none"> • MCL development steps & timeline • MCL components 	Damon Guterman, Drinking Water Program
11:50 – 12:20	Questions/comments from all meeting participants	All
12:20-12:30	Next steps, including plans for next stakeholder meeting	Doug Fine
12:30	Adjourn	

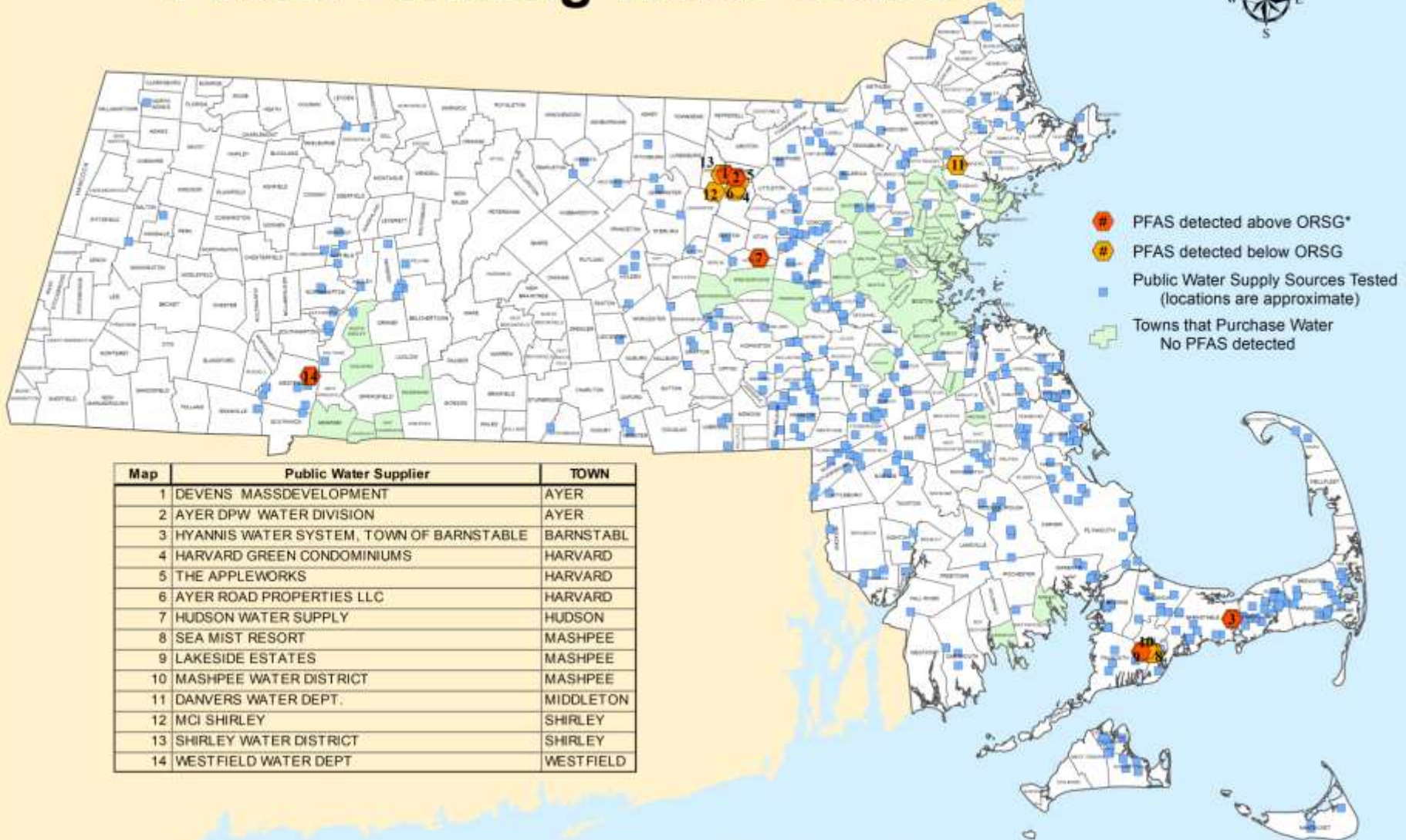
Drinking Water Values for PFAS

(parts per trillion) (4/9/2019)

	PFOS	PFOA	PFNA	PFHxS	PFHpA	PFDA
USEPA Health Advisories	70 Sum of two		NA	NA	NA	NA
ATSDR Based on ATSDR toxicity value	7	11	10	70	NA	NA
NY Recommended MCL	10	10	NA	NA	NA	NA
NJ MCL or proposed	13	14	13	NA	NA	NA
VT Health advisory/ emergency rule	20 Sum of five					NA
MA Current ORSG	70 Sum of five					NA
CT Action Levels	70 Sum of five					NA
CA Interim notification levels	13	14	NA	NA	NA	NA
MN Drinking water guidelines	15	35	NA	47	NA	NA
NH Proposed MCLs	70	38	23	85	NA	NA
Most other states (EPA value by default)	70		NA	NA	NA	NA



PFAS Testing of Public Drinking Water Sources



* ORSG = MassDEP Office of Research and Standards
Guideline 70 ppt (70 nanograms per liter)

0 15 30 Miles

Please note, Not all public water supply tested sites reside within the town's boundaries.
Map Produced by MassDEP GIS Group March, 2019

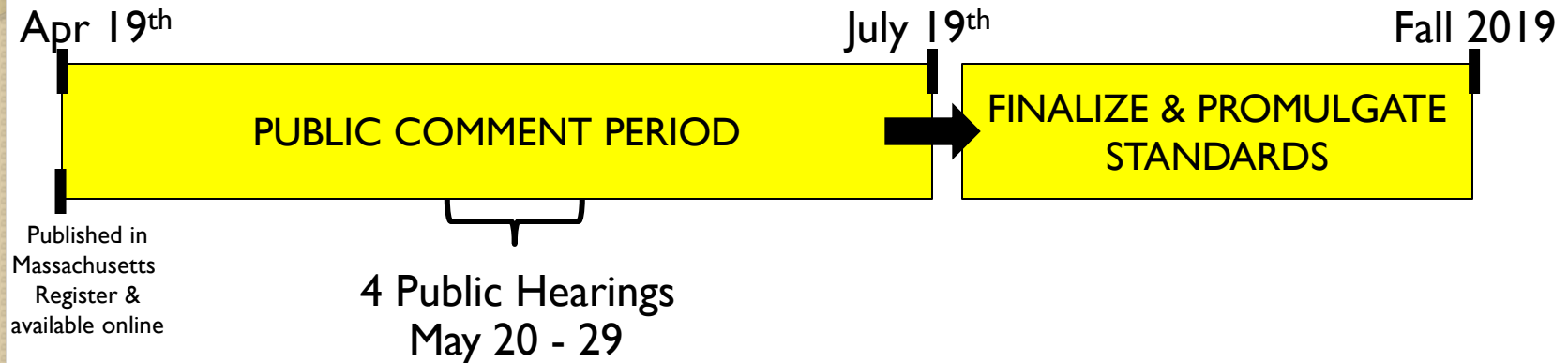
Proposed PFAS-Related Changes to the Massachusetts Contingency Plan

(310 CMR 40.0000, "MCP")

- **Reportable Concentrations**
(RCs) for soil and groundwater
- **Method I Standards**
for soil and groundwater
*Including a standard for groundwater protected for
its current or foreseeable future use as drinking
water - Category GW-I groundwater*

Schedule for Proposed Changes to the Massachusetts Contingency Plan

(310 CMR 40.0000, "MCP")



Comments received on the MCP proposed standards will be shared with the MassDEP Drinking Water Program and Office of Research & Standards to inform their work on the proposed Massachusetts MCL and ORSG.

Other MassDEP PFAS Activities

- Office of Research & Standards Guideline (ORSG)
 - Evaluating potential revision
- Firefighting Foam (AFFF) Collection & Disposal Program
 - MassDEP and Mass Dept of Fire Services
 - Collected/disposed of 149,000 pounds of pre-2003 foam
- Testing New Sources of Drinking Water
- Voluntary Reporting of Bottled Water Tests
- Testing Residuals for PFAS
 - Requiring sampling & analysis for new and renewed land application approvals

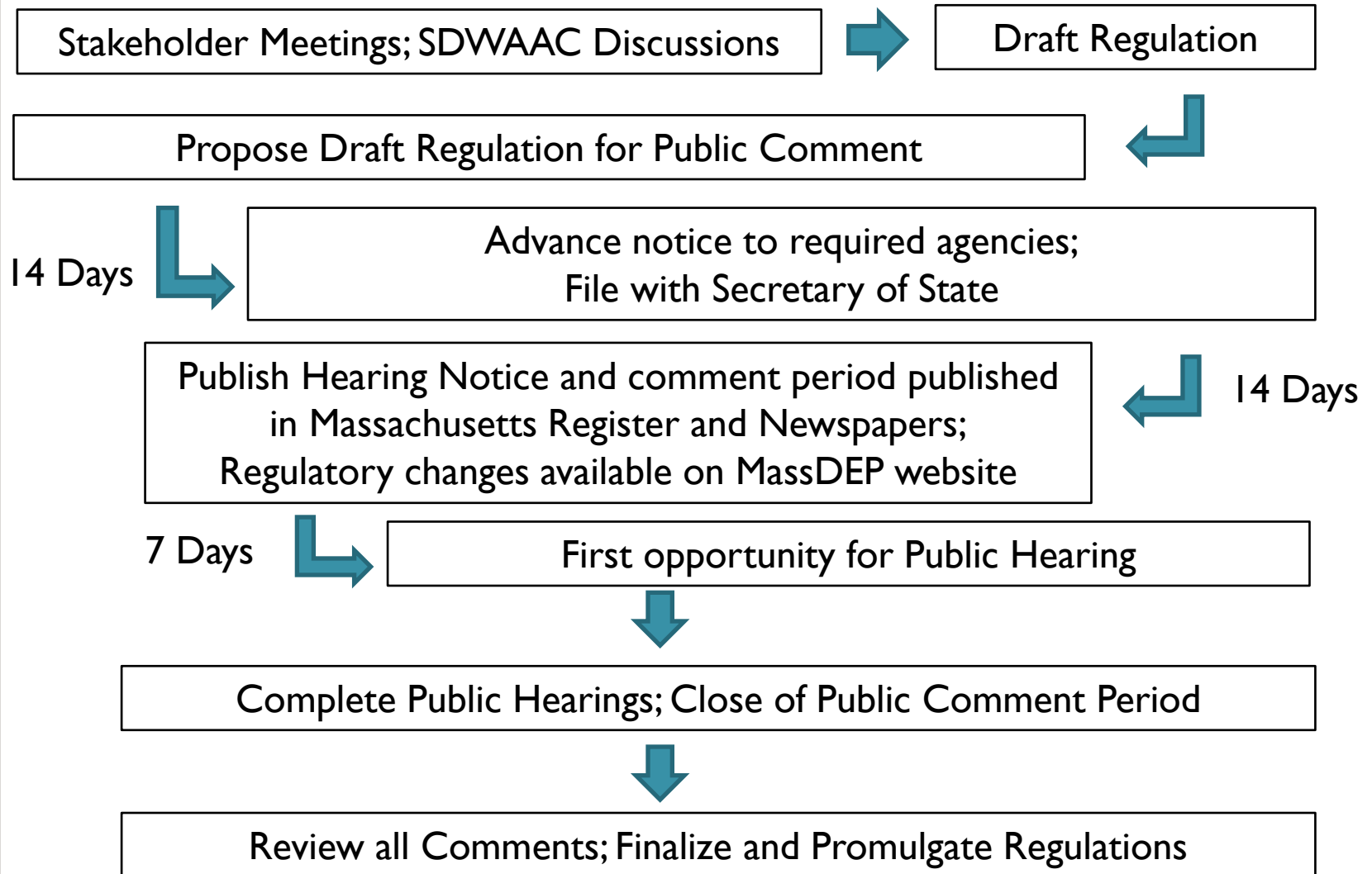
Promulgating Regulations in MA

- Process is Governed by:
 - Secretary of State
 - M.G.L. c. 30A the *Administrative Procedures Act*, the Secretary's regulation 950 CMR 20.00
 - Executive Orders of the Governor
 - Policies and Practices of the Executive Office of Energy and Environmental Affairs and MassDEP
- Proposed Regulations are:
 - Drafted by MassDEP
 - Notice of Public Hearings and Comment Period is Published in the Massachusetts Register

Contents of a Regulatory Proposal

- Proposed regulatory changes (red-lined version of the regulations)
- Small Business Impact Statement (published in Mass Register)
- Notice of public hearings / schedule with dates and instructions for commenting
- Summary / Background document / Notes to reviewers
- Response to Comments document (optional) explaining any changes to final regulation

Sequence/Minimum Timelines



Drinking Water MCL Regulation

- Although Not Bound by the Same Prescribed Process as EPA, MassDEP Does Follow Many of the Same Steps
 - Especially a Consideration of Analytical and Treatment Feasibility
- Input from this Stakeholder Process, and Discussion with our Safe Drinking Water Act Advisory Committee (SDWAAC)
- Regulatory promulgation requirements apply

PFAS MCL Rule Elements to Consider

- Maximum Contaminant Level (MCL) Value – Will be Informed by MCP Regulatory Process and the Review of the Existing ORSG
- Applicability by Class – Type of Public Water System (PWS)
 - Community – Cities/Towns, Condos, Apartments, Mobile Home Parks, Residential Facilities
 - Non-Transient, Non-Community – Schools/Institutions, Industries, Medical Facilities
 - Transient Non-Community – Restaurants, Recreational Areas, Summer Camps, Hotels
- Variable Implementation Based on Class, Size, Source Water
- Monitoring Requirements
 - Initial (Grandfathering), Routine, Increased and Reduced
 - Availability of Monitoring Waivers

PFAS MCL Rule Elements (Cont.)

- MCL Compliance Method
 - Running Annual Average: $(Q1+Q2+Q4+Q4)/4$
 - Average of Initial and Confirmation Samples: $(\text{Sample 1}+\text{Sample 2})/2$
- State and Public Notification Triggers
 - Consumer Confidence Reporting
- Identification of Best Available Technology (Treatment)
- Seeking Input and Discussion at Subsequent Stakeholder Meetings

PFAS Laboratory Certification

- The *Certification and Operation of Environmental Analysis Laboratories*, 310 CMR 42.00, will be Amended
- As an Interim Measure, the Drinking Water Program is Approving Laboratories under 310 CMR 22.11A(2) to Conduct PFAS Analyses at MA PWSs



DISCUSSION / QUESTIONS

Next Steps

- Next Stakeholder Meeting:
 - Presentation on proposed regulations for PFAS groundwater cleanup standard
 - Public comment period: 4/19/19 – 7/19/19
 - Four public hearings: May 20th – May 29th
 - Discussion on MCL components
 - Discussion on Lab Capacity
 - Items Raised via Stakeholder Process
 - Target: Week of 6/10/19 or 6/17/19 (TBA)
- Today's Materials & Video:
 - <https://www.mass.gov/lists/development-of-a-pfas-drinking-water-standard-mcl>
- Written Feedback:
 - program.director-dwp@mass.gov,
 - Subject: PFAS MCL