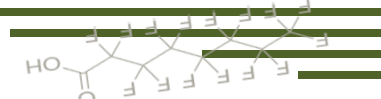
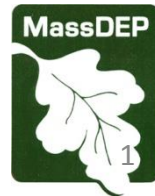


MassDEP Public Meeting

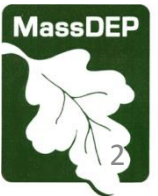
CLF & TAC Petition for Rulemaking to Establish a Treatment Technique Drinking Water Standard for Per- and Polyfluoroalkyl Substances (PFAS)

January 16, 2019



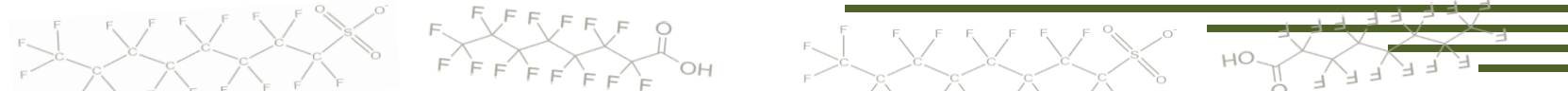
Meeting Overview

- MassDEP's Introductory Remarks
- Petitioners' Presentation
- Feedback from Meeting Attendees
- MassDEP's Recent PFAS Actions
- MassDEP's Next Steps on Petition
- Additional Resources



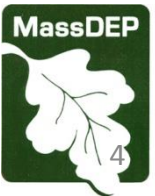
Petition Process

- M.G.L. c. 30A, § 4 allows any person to petition an agency to adopt a regulation
- 310 CMR 2.00 requires MassDEP to consider the petition at a meeting and, within 10 days, to notify the petitioner of its action



Primacy under the Safe Drinking Water Act

- EPA's SDWA rule development process must consider:
 - Health impacts and frequency of occurrence of the contaminant
 - Benefits, costs and feasibility of a proposed standard
- MassDEP is designated to implement SDWA in MA (“Primacy”)
- Primacy states must promulgate state regulations as stringent as EPA's, but may be more stringent
- Most MassDEP regulations mirror EPA rule
 - There was one MassDEP-led standard (perchlorate MCL)

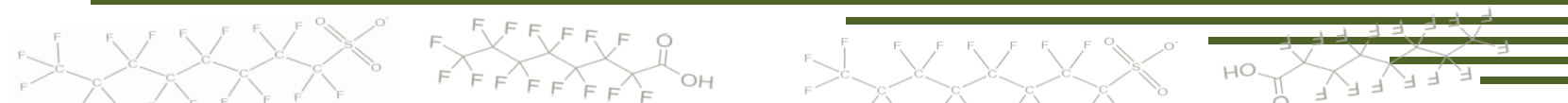


MassDEP's Recent and Planned Actions

- Office of Research & Standards Guideline (ORSG) of 70 ppt for sum of five PFAS
- Oversaw Public Water Supplier activities to comply with the ORSG
- Requirement for PWS to sample new sources for PFAS
- Guidelines for waste site cleanup investigations under Mass Contingency Plan
- PFAS waste site investigations
- Firefighting foam collection and disposal
- New online resources for PFAS
- *Forthcoming:*
 - Reconsider ORSG
 - Propose MCP draft regulations including soil & groundwater cleanup standards
 - Develop draft drinking water regulations/standards

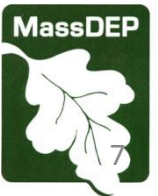


Petitioners' Presentation: Conservation Law Foundation & Toxics Action Center

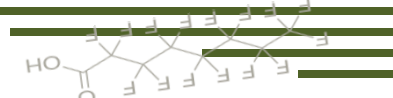


Attendee Views on the Petition

- Seeking feedback from audience members
- Please limit individual comments to 5 minutes (to allow time for all who wish to speak)
- Written feedback will continue to be accepted until COB Thursday 1/17/19
 - Send to program.director-dwp@mass.gov (subject line of “PFAS Petition Feedback”)

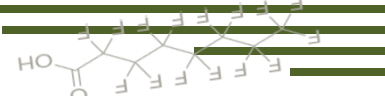
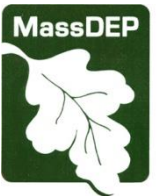


MassDEP Actions, Next Steps and Available Resources



MassDEP Drinking Water Guideline

- MA Office of Research and Standards Guideline (ORSG) for Drinking Water:
 - 70 ppt for any sum of PFOS, PFOA, PFHxS, PFHpA & PFNA
 - Based on structural similarity
 - Reviewed and endorsed by MassDEP Health Effects Advisory Committee
 - Reviewing additional / new information (incl. ATSDR Toxicity Profiles; European Food Safety Authority report; NY and NH; etc.)
- Drinking Water Program and Waste Site Cleanup Program implementing current ORSG



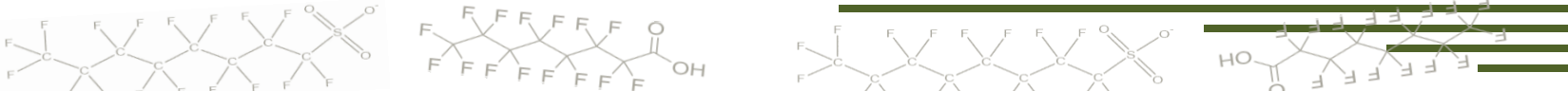
Drinking Water Values for PFAS (parts per trillion) (1/2019)

	PFOS	PFOA	PFNA	PFHxS	PFHpA	Other PFAS
USEPA Health Advisory	70 Sum of both					For PFBS: MN = 2,000 Based on draft EPA RfD = > 30,000 For Gen X: NC = 140 Based on draft EPA RfD = 280
ATSDR (using USEPA approach; draft MRLs)	7	11	10	70		
NY Proposed MCLs	10	10				
NJ	13 Proposed	14 Proposed	13 MCL			
CA Interim Notification Levels	13	14				
VT Groundwater Standards	20 Sum of all five					
MA ORSG	70 Sum of all five					
CT DW Action Levels	70 Sum of all five					
MN Drinking Water Guidelines	27 Under review	35		27		
NH Proposed MCLs	70	38	23	85		
	70 Sum of PFOS & PFOA					



PFAS in MA Public Water Supplies

- 5 PWS were above the 2018 ORSG
 - Hyannis: Installed treatment
 - Lakeside Estates (Mashpee): Connected to municipal PWS
 - Westfield: Modified well usage and installing treatment
 - Ayer: Changed wells and installing treatment
 - Devens: Changed wells and exploring treatment
- Monitoring PWS with detections below the 2018 ORSG
- Firefighting foam (AFFF) appears to be primary source (with one likely manufacturing source and one source under investigation)
- All PWS PFAS results are posted on Mass.Gov

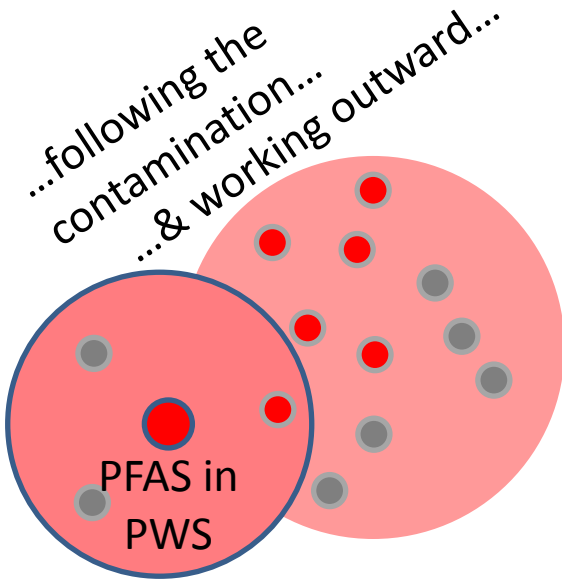


Additional MassDEP Action

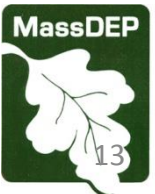
- PFAS testing required for all proposed new Public Water Sources
- Requested voluntary testing of bottled water
 - All PFAS results are posted on MassDEP's webpage
- PFAS testing for all residuals disposal site approvals
 - New and renewals



MassDEP PFAS Site Cleanup Activities

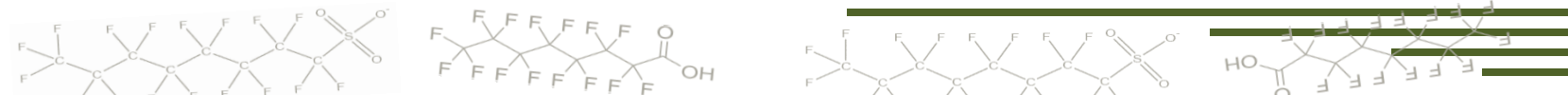


- **Source Discovery**
Issue Requests for Information (RFIs) and Notices of Responsibility (NORs)
- **Sampling private wells**
near known PFAS-contaminated public wells (PRP-lead or MassDEP-lead)
- **Working w/EPA and DoD**
cleanup & funding issues



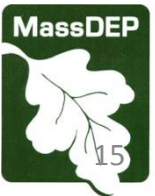
MassDEP PFAS Site Cleanup Activities

- Guidance to LSPs for PFAS investigations
- Proposing MCP Method 1 cleanup standards for soil and groundwater
 - Draft regulations in winter 2019
 - Will include Reportable Concentrations (RCs)
 - Will solicit comment on all aspects of PFAS: specific compounds, toxicity values & exposure assumptions
 - Comment on GW-1 standard will inform subsequent drinking water regulations



MassDEP & MassDPS AFFF Firefighting Foam Take-Back

- Pre-2003 foams (AFFF)
- Outreach, voluntary inventory, and collection/disposal program for fire chiefs
- Goal: Prevent future releases
- 60+ requests for assistance
 - *MORE THAN 125,000 lbs* of AFFF concentrate
- Disposal via incineration



MassDEP Next Steps on Petition

- Written feedback by COB Thurs 1/17/19
- MassDEP to consider petition, available information, and feedback received
- MassDEP response to petitioners by Monday 1/28/19 (and posted on Mass.Gov)



Resources

- MassDEP PFAS weblink, including:
 - Presentations from today
 - Written feedback received, and MassDEP's correspondence related to petition
 - Additional PFAS information and links
 - <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas>
- MassDEP Contacts:
 - Stephanie Cooper, Deputy Commissioner for Policy & Planning Stephanie.Cooper@mass.gov
 - Mark Smith, Director, Office of Research & Standards C.Mark.Smith@mass.gov
 - Douglas Fine, Assistant Commissioner for Water Resources Douglas.Fine@mass.gov
 - Paul Locke, Assistant Commissioner for Waste Site Cleanup Paul.Locke@mass.gov
- US EPA PFAS weblink: <https://www.epa.gov/pfas>

