



## EPA PULLS THE TRIGGER ON PFAS MAXIMUM CONTAMINANT LEVEL, ENHANCED ENFORCEMENT, AND INCREASED COMPLIANCE IN NEW ACTION PLAN

Today, February 14, 2019, EPA announced their new [PFAS<sup>1</sup> Action Plan](#) that fundamentally reshapes the agency's position on this group of chemicals of concern. After a decade of interim actions which included the development of guidance documentation, drinking water health advisory limits, analytical methods, and public outreach, EPA has consolidated their efforts into [a comprehensive, multifaceted plan of attack](#) focusing on the following key action:

- 1. PFAS Maximum Contaminant Level (MCL)** – The agency is moving forward with the MCL for PFOA<sup>2</sup> and PFOS<sup>3</sup>, the two long-chain PFAS chemicals already on their drinking water health advisories. EPA may develop MCLs for additional PFAS compounds, too. An MCL is an enforceable legal standard that shall be met by public water supplies and requires monitoring, remediation, and public notice.
- 2. Designated hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)** – On the heels of [the January 14, 2018 proposed “PFAS Action Act”](#) to designate all PFAS as hazardous substances under CERCLA (aka the Superfund program), EPA has announced that it will rely on this designation to address impacted sites.
- 3. Stepping up enforcement** – The PFAS Action Plan introduces assertive strengthening of the agency's federal enforcement authorities afforded by Congress, as well as the existing rules and regulations. It even includes explicit language that, in some instances, the EPA may [“hold responsible parties accountable.”](#)
- 4. Release monitoring and use controls** – EPA intends to add PFAS to [the Toxics Release Inventory \(TRI\)](#) and evaluate/limit new PFAS and/or their uses via the Toxics Substances Control Act (TSCA).

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<sup>1</sup>PFAS = Per- and polyfluoroalkyl substances

<sup>2</sup>PFOA = Perfluorooctanoic acid

<sup>3</sup>PFOS = Perfluorooctanesulfonic acid

5. **PFAS to stay on the Unregulated Contaminant Chemical Monitoring Rule (UCMR)** – Similar to previous monitoring cycles, PFAS will remain on [the nationwide UCMR](#) to continue monitoring for the extent of impacts on thousands of drinking water supplies nationwide.
6. **Research and communication** – Significant investments will be made to enhance the scientific foundations of toxicological knowledge, detection, treatment and remediation, and risk management of PFAS. Communication materials will be developed to better address the public's concerns about this group of chemicals.

The PFAS Action Plan is a noteworthy development in magnitude, scope, and expedited timelines, unlike EPA's approach for other toxic contaminants in the past. The impact of the proposed path forward on the regulated community will likely be significant and on an accelerated schedule; MCLs are expected to be proposed for public comment in 2019. Trihydro is monitoring this emerging contaminant closely and will continue to provide future updates.

[VIEW THE FULL EPA PFAS ACTION PLAN HERE >](#)

### Ask us your PFAS questions!

If you have questions or want to know more, please contact:

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*synonyms:* investigate, inquire into, probe, explore, research, look into  
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