States Leading the Way On PFAS

ASTSWMO Annual Meeting 2019

Steve Sliver, Executive Director
Michigan PFAS Action Response Team
States Compelled to Act

- PFAS are pervasive and persistent
- Evidence of adverse health affects is mounting
- US EPA PFAS Action Plan timeline too long
- Public impatient
- States are using state authorities and resources in absence of timely federal action
States Leading Together

• Multi-agency
  • CT Interagency PFAS Task Force
  • ME PFAS Task Force
  • MI PFAS Action Response Team
  • NY Water Quality Rapid Response Team
  • OH PFAS Task Force
  • PA PFAS Action Team
  • WI PFAS Coordinating Council

• Multi-state
  • ASTSWMO
  • ECOS and ITRC
  • ASDWA
  • Great Lakes Region
Engaging Stakeholders and External Experts

- NY Drinking Water Quality Council
- MI PFAS Treatment Technologies Roundtable to facilitate coordination among industry, academia, utilities, and regulators
- NJ educating remediating parties on reporting and cleanup obligations
- MI Citizens Advisory Workgroup
- NJ Drinking Water Quality Institute
- NC Science Advisory Board
Engaging Federal Partners

• Evaluation of fate and transport of PFAS via air dispersion to soil, surface water and ground water, and enhanced analysis of these media to evaluate dispersion of a PFNA replacement compound from a known source in NJ

• Evaluation of mist suppressants for chrome platers in MI

• Public health studies
Investigating Potential Sites

• Proactive
• Prioritized to protect public health
• Landfills
• Industrial sites
• Airports
• Military installations
Surveying Surface Water

- Also fish and foam
- Enables tracking down and elimination of sources
- NJ conducting research into partitioning of PFAS between fish tissue, sediment, and surface water. The results of the fish tissue concentration support fish consumption advisories.
Evaluating Wastewater

- VT – sampling of electroplating and car washes
- NC - directed larger systems in the pretreatment program to test for PFAS in the incoming effluent.
- VT - state-wide WWTF and landfill leachate testing
- MI - IPP Initiative
Evaluating Biosolids Land Application

• Impacts on soil, surface water, groundwater
• VT – biosolids land application at 3 sites and residential septage at 1 site.
• MI - biosolids land application from 41 WWTPs
• ME – restricts land application of biosolids with PFAS exceeding screening levels
Testing Public Water Supplies

• VT - 630 Community and Non-Transient Noncommunity Water Systems tested by 12/1/19
• OH – statewide testing plan due 12/1/19
• MI - all community water supplies and NTNCWS schools and day cares in 2018, additional testing ongoing
• NJ – adopted MCL for PFNA requires state-wide testing of public water supplies for PFNA and voluntary reporting for other PFAS
• CA – testing near potential sources of contamination
Conducting Other Studies and Research

- Landfill leachate
- Soil
- Fate and transport
- Treatment technologies
- Replacement compounds
- MI – ecological studies in Huron River Watershed to understand the movement and environmental risk of PFAS contamination for aquatic organisms
Reducing Exposures

- Drinking water recommendations
- Fish and deer consumption advisories
- Surface water foam advisories
Seeking Health Answers

- Public health assessments
- Human Exposure Assessments
- Human Health Studies
- Surveillance and Biomonitoring
<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>MN</td>
<td>exposure assessments, biomonitoring</td>
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<tr>
<td>NJ</td>
<td>conducting two PFAS biomonitoring studies as part of a CDC-funded biomonitoring grant.</td>
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<tr>
<td>NJ</td>
<td>beginning year 3 of a 3-year biomonitoring study of residents exposed to PFAS-contaminated drinking water.</td>
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<tr>
<td>NJ</td>
<td>Rutgers University study of exposures to PFNA and other PFAS is 1 of 7 locations nationwide for the ATSDR-funded multi-site health study to investigate the relationship between drinking water contaminated with PFAS and health outcomes.</td>
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<tr>
<td>NC</td>
<td>Collaboratory investigating cancer cluster</td>
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<tr>
<td>MI - N. Kent County</td>
<td>exposure assessment</td>
</tr>
<tr>
<td>MI</td>
<td>Statewide and targeted biomonitoring</td>
</tr>
<tr>
<td>MI</td>
<td>Health study in Parchment</td>
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Promoting Federal Policy

- MCLs
- CERCLA hazardous substance designation
- TRI reporting
- Funding for remediating contaminated drinking water supplies
- Phase out PFAS AFFF
- Medical screening of exposed populations
- DOD funding and compliance with state standards
<table>
<thead>
<tr>
<th>Topic</th>
<th>State(s)</th>
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<tbody>
<tr>
<td>Restricting Class B AFFF</td>
<td>AZ, CO, GA, KY, MN, NH, VA, WA</td>
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<tr>
<td>Overseeing drinking water</td>
<td>CA, NH, VT</td>
</tr>
<tr>
<td>Environmental standards and reporting</td>
<td>FL, PA, VT, WI</td>
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<tr>
<td>Liability for contamination</td>
<td>VT, NH, VT</td>
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<tr>
<td>Consumer products and food packaging protections</td>
<td>CA, MA, MN, OR, VT, WA</td>
</tr>
<tr>
<td></td>
<td>CA, CT, IA, MA, MN, NJ, NY, RI, VT</td>
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• Any Media
• Any PFAS
• Enforceable or recommendation
• Existing or proposed

Establishing Standards
Drinking Water Standards

- < 70 ppt PFOA + PFOS
- More PFAS (PFNA, PFBS, PFHxS, PFHxA, GenX)
Holding Parties Accountable

- MN – 3M Settlement
- NJ – directed manufacturers to address discharges and filed lawsuits for cost recovery and natural resource damages; lawsuit against manufactures and sellers of AFFF
- VT - lawsuits against companies for manufacturing and distribution of PFAS and PFAS-containing products
- NM – lawsuit against USAF under the hazardous waste act
- MI – selected outside firms to explore options for litigation against manufacturers or distributors of PFAS that contaminated the environment
- NC – Consent Order with Chemours to decrease the amount of PFAS being discharged into the Cape Fear River and groundwater, and to decrease air emissions
- MI – dispute resolution against the USAF at Wurtsmith AFB
- MI – lawsuit against Wolverine Worldwide
Prevention

• Class B AFFF
• Best practices
• Collection and disposal
  • VT, MA, MI, WA, NJ
• Evaluating alternatives
States Allocating Resources

- FTE
- Funding
The States are Leading the Way on PFAS

- Data-driven, science-based approach for protecting public health
- Adopting policy and regulations
- Pushing for faster federal action
- Working together
Questions