



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

A Clean Water Utility's Guide to Considering Source Identification, Pretreatment, and Sampling Protocols for PFAS: National Association of Clean Water Agencies Issues Guidance

12/31/2019

The National Association of Clean Water Agencies (“NACWA”) published a guidance document titled:

A Clean Water Utility's Guide to Considering Source Identification, Pretreatment, and Sampling Protocols for PFAS (“Guide”)

The *Guide* states that considerations related to PFAS were compiled by NACWA member utilities that have:

... experience with PFAS because they are located in states where legislative and/or regulatory agencies have required utilities to begin sampling effluent, biosolids or other environmental media for PFAS and/or where states have increased their attention to these contaminants by forming task forces or other groups to look further into PFAS contamination and develop response actions.

These man-made chemicals are typically described as including perfluorooctanoic acid, perfluorooctanesulfonate, and GenX chemicals. Properties include resistance to heat, water, and oil. They have been described as persistent in the environment and resist degradation.

The chemicals have been used in various industrial applications and consumer products such as:

- Fabrics for furniture
- Paper packaging for food and other materials resistant to water, grease or stains
- Firefighting airfields
- Utilization in several industrial processes

Potential human exposure to PFAS includes pathways through drinking water, air, or food.

The *Guide* describes the relevance of these chemicals to wastewater utilities effluent monitoring and industrial pretreatment requirements.

An example cited are requirements that have been imposed by Michigan regulatory authorities on these waste water utilities. Also cited is the State of Maine which imposed:

... through an unanticipated memorandum – applied extremely low concentration screening values for biosolids.

The decision by Maine is stated to have effectively prohibited the distribution of compost and land application of biosolids in Maine if such levels are exceeded. Further examples are California (taking steps to evaluate sources of concentrations of PFAS in surface waters and groundwater) and Wisconsin (early stage of identifying PFAS sources and asking utilities to voluntarily sample influent and effluent and report if certain exceedances are found).

The states' effort to address these chemicals is described as being in a "erratic, non-uniform fashion." Such utilities are not sources of such chemicals but are described as passive receivers. Nevertheless, utilities have significant concerns about provisions requiring them to identify the sources of such chemicals entering their systems. The potential role of a utility's industrial pretreatment program is stated to be a special focus of attention for purposes of mitigating such chemicals in water resources, source control, and eliminating them from manufacturing.

An additional concern is the ability of water utilities to communicate with the public about these issues. This is especially problematic in addressing risks and what is appropriate for monitoring and testing. The potential impact on the public's perception of biosolids is of particular interest.

The components of the *Guide* include:

- Background
- Why is There a Need for PFAS Considerations?
- How to Use this Guide
- Domestic-Only Systems
- Potential Pretreatment Actions
- Other Additional Pretreatment Actions to Keep in Mind
- Is the State Seeking Voluntary Sampling from POTWs?
- Is the State Requiring Sampling from POTWs?
- Sampling Procedures & Methods
- Expectations When Testing for PFAS
- Other Sampling or Testing Considerations
- Next Steps & Public Communication

A copy of the *Guide* can be downloaded [here](#).