EPA Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS/2026 Version: National Association of Clean Water Agencies Comments

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The National Association of Clean Water Agencies ("NACWA") submitted June 29th comments on the United States Environmental Protection Agency ("EPA") Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS – 2026 Version ("Interim Guidance"). See EPA-HQ-OLEM-2020-0527.

EPA states that the Interim Guidance's 2026 update provides the currently available information on the destruction and disposal of Perfluoroalkyl and Polyfluoroalkyl ("PFAS") substances and materials containing PFAS.

The Interim Guidance focuses on updates to the current state of science and what it describes as associated uncertainties for three large-scale capacity technologies that can destroy PFAS or control PFAS release into the environment, which include:

- Thermal treatment
- Landfills
- Underground injection

The Interim Guidance also discusses:

- Emerging technologies
- Framework for evaluating these technologies for PFAS destruction or disposal

NACWA states that it represents the interests of more than 360 publicly owned clean water utilities of all sizes across the United States. Further, their services are noted to include treating billions of gallons of our nation's wastewater and stormwater and managing the millions of tons of biosolids generated as a byproduct of the wastewater treatment process in a manner that ensures continued protection of human health and the environment.

NACWA states by way of introduction that the organization:

- Appreciates the inclusion of several new studies and data while also urging additional context regarding the findings

- Appreciates what it states are important insights into how PFAS impact clean water agencies and each of the biosolids management approaches while:
- Underscoring the complicated landscape PFAS creates
- Lack of a clear solution for the clean water community
- Overall need for greater source control alongside advanced destruction technologies
- Clean water utilities are passive PFAS receivers, and the organization is working to understand and mitigate PFAS entering and leaving clean water collection systems and treatment plants
- PFAS chemicals enter the wastewater treatment process from upstream industrial and manufacturing discharges to wastewater utilities, as well as through everyday domestic source contributions from consumers using and rinsing PFAS-coated products down the drain

Clean water utilities are described as:

- Not designed or constructed with PFAS treatment in mind
- Currently possess no technology available that is capable of removing PFAS from the hundreds of millions of gallons of influent

Biosolids are generated continuously as a byproduct of the treatment process and can only be managed through a limited set of pathways, including:

- Land application
- Landfill disposal
- Incineration

Each of these is stated to present its own regulatory, operational, and capacity challenges.

As a result, the organization argues that it continues to advocate for a “polluter pays” approach that requires manufacturers and producers of these chemicals to bear the responsibility for PFAS cleanup and treatment costs.

The remainder of the comments address:

- PFAS Reporting Requirements and Data Collection
- Sewage Sludge Incineration
- Landfill Disposal of Biosolids
- Land Application of Biosolids
- Industrial Pretreatment Program

A copy of the NACWA comments can be found here.