

PFAS Rule Could Have Long-Reaching Effects in PA

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A proposed rule in Pennsylvania would enforce strict water quality standards for two forms of per and polyfluoroalkyl substances (PFAS) for any entity that owns and operates a public water system.

The Pennsylvania Environmental Quality Board has approved a rule proposed by the Department of Environmental Protection to establish stricter drinking water standards, otherwise known as maximum contaminant levels for the two forms of PFAS. The proposed new maximum containment levels are intended to protect against adverse developmental and immune system effects. The proposed rule will set stricter limits for perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA).

The proposed rule, if approved after public comment, will directly apply to all 3,117 of Pennsylvania's community, nontransient, noncommunity, and bottled, vended retail and bulk water systems. That would include not just large public water systems throughout the state, but also smaller municipal ones and even smaller ones, such as ones run by real estate developers or homeowner associations in a specific community.

PFAS are a class of synthetic chemicals used since the 1940s to make water, heat and stain resistant products such as cookware, carpets, clothing, furniture fabrics, paper packaging for food, and other resistant materials. These chemicals are persistent in the human body and throughout the environment. PFAS are known to cause adverse health effects but are classified by scientists as emerging chemicals because the risks they pose to human health and the environment are not completely understood.

It also includes new requirements related to monitoring and reporting, analytical methods, treatment technologies, and public notification.

The proposed rule also has future ramifications since it's likely that the new maximum containment levels will become cleanup standards for the remediation of contaminated sites throughout Pennsylvania. If that were to happen, these stricter clean-up standards would apply to all properties that may have PFAS contamination in the soil or groundwater.

The proposed state rule is separate from and in addition to [a plan by the U.S. Environmental Protection Agency](#) to require any business that manufactures or imports PFAS, including products that might contain the chemicals but are otherwise finished products before being imported, to report these imports back to 2011.

The *PA Bulletin* is expected to publish the proposed rule next year for a 60-day public comment period. At least five public hearings will be held, according to a [news release from the Pennsylvania DEP](#).

If you have any questions on how your water treatment system or business could be affected by the newly proposed federal or state PFAS regulations, please [contact me](#) or anyone in the [Barley Snyder Environment & Energy Industry Group](#).

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Martin R. Siegel

Counsel

Tel: (717) 718-7581

Email: msiegel@barley.com