

FOR IMMEDIATE RELEASE – APRIL 19, 2024

EPA Finalizes PFAS National Primary Drinking Water Regulation

On April 10, 2024, the Environmental Protection Agency (EPA) formally announced its final National Primary Drinking Water Regulation (NPDWR) for six PFAS, including perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid (HFPO-DA, also known as Gen-X), perfluorohexane sulfonic acid (PFHxS), and perfluorobutane sulfonic acid (PFBS).

The NPDWR establishes legally enforceable limits, called Maximum Contaminant Levels (MCLs), for six PFAS in drinking water. PFOA, PFOS, PFHxS, PFNA, and HFPO-DA (Gen-X) will be regulated as individual contaminants. PFHxS, PFNA, PFBS, and HFPO-DA will also be regulated as a PFAS mixture. The NPDWR also establishes health-based, non-enforceable Maximum Contaminant Level Goals (MCLGs) for these six PFAS.

Compound	MCLG (health-based goal)	MCL (enforceable levels)
PFOA	Zero	4.0 parts per trillion (ppt) (also expressed as ng/L)
PFOS	Zero	4.0 ppt
PFHxS	10.0 ppt	10.0 ppt
PFNA	10.0 ppt	10.0 ppt
HFPO-DA (commonly known as Gen-X Chemicals)	10.0 ppt	10.0 ppt
Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS	1.0 (unitless) Hazard Index	1.0 (unitless) Hazard Index

An MCL is an enforceable water quality standard that protects public health by setting the maximum level that a contaminant may be present in drinking water delivered to users of a public water system. An MCLG, although not enforceable, is the maximum level of a contaminant in drinking water where there is no known or anticipated negative effect on an individual's health, allowing for a margin of safety.

The EPA's finalized NPDWR for PFAS will require public water systems, like the Irondale Water System, to:

- Monitor for these PFAS;
- Notify the public of the levels of these PFAS in drinking water; and
- Reduce the levels of these PFAS in drinking water if they exceed the MCL or Hazard Index.

Public water systems, like the Irondale Water System, with PFAS levels exceeding the MCL or Hazard Index, have until 2029 to reduce the levels to below the required limit.

What are PFAS?

Per- and poly-fluoroalkyl substances (PFAS) are a large and diverse group of chemicals used in many commercial applications due to their unique properties, such as resistance to high and low temperatures, resistance to degradation, and nonstick characteristics. Although PFAS have been manufactured and used broadly in commerce since the 1940s, concern over potential adverse effects on human health grew in the early 2000s with the detection of PFOA and PFOS in human blood. Since that time, hundreds of different PFAS have been found in water, soil, and air.

Many PFAS, including PFOA and PFOS, are environmentally persistent, bio-accumulative, and remain in human bodies for long periods of time. It is for this reason that PFAS are commonly referred to as “forever chemicals.” According to the EPA, exposure to PFAS over a long period of time may lead to negative health effects, including an increased risk of cancer. Most uses of PFOA and PFOS were voluntarily phased out by U.S. manufacturers in the mid-2000s, although these chemicals remain in the environment due to their persistence and lack of degradation. In addition, some newer PFAS in use break down into PFOA and PFOS.

What is the EPA Doing About EPA?

In 2005, the EPA levied its largest-ever civil administrative penalty against DuPont to settle claims that the company failed to disclose information about the risks associated with PFOA. In 2006, the 3M Company paid \$1.5 million to settle similar claims that the company had withheld information relating to PFOS and PFOA.

Based upon this new information, EPA announced the first-ever Health Advisory for PFOS and PFOA in drinking water in 2009. This Health Advisory recommended no more than 400 ppt PFOA and 200 ppt PFOS in drinking water. In 2016, after further research, the EPA announced new Lifetime Health Advisories for PFOS and PFOA, setting a recommended combined limit of 70 ppt for PFOS and PFOA. In 2022, EPA issued updated

Lifetime Health Advisories for four PFAS, including PFOA and PFOS. The updated advisory levels were well below what were previously nondetectable levels.

On March 14, 2023, EPA announced the proposed NPDWR to establish legally enforceable levels for six PFAS in drinking water. On April 10, 2024, the EPA finalized its proposed NPDWR, and announced its expectation that “over many years the final rule will prevent PFAS exposure in drinking water for approximately 100 million people, prevent thousands of deaths, and reduce tens of thousands of serious PFAS-attributable illnesses.”

What Levels are in My Water?

The Irondale Water System’s most current test results for the six PFAS referenced in the EPA’s Health Advisories and the new NPDWR are as follows:

PFAS	2016 HA	2022 HA	MCL [°]	MCLG ^{°°}	WELL 5*,6, & 7	WELL 2**
PFOA	70 ppt	.004 ppt	4.0 ppt	Zero	6.3 ppt	2.9 ppt
PFOS	70 ppt	.02 ppt	4.0 ppt	Zero	23 ppt	9.8 ppt
PFNA	N/A	N/A	10.0 ppt	10.0 ppt	ND [†]	ND [†]
PFHxS	N/A	N/A	10.0 ppt	10.0 ppt	2.8 ppt	1.6 ppt
HFPO DA (GEN X)	N/A	10 ppt	10.0 ppt	10.0 ppt	ND [†]	ND [†]
PFBS	N/A	2000 ppt	HI ^{††}	HI ^{††}	2.9 ppt	1.5 ppt

Note: The above results are based on Alabama Department of Environmental Management’s first quarter testing from January 23, 2024 which is the system’s most up to date data as of April 17, 2024.

*Well 5 was removed from normal operation in April 2024 due to levels of PFAS exceeding the announced MCL.

**Well 2 was removed from normal operation at the end of February 2023 due to high levels of PFAS.

†"ND" denotes an analyte is not detected during analysis; ND does not necessarily mean the compound is not present, only that it was not present at a level high enough for the laboratory equipment to detect.

††EPA’s Hazard Index (HI) Maximum Contaminant Level (MCL) is set at 1 (unitless) and applies to any mixture containing two or more of PFNA, PFHxS, PFBS, and HFPO-DA (known as “GenX chemicals”).

°"MCL" Maximum Contaminant Level

°°"MCLG" Maximum Contaminant Level Goal

While the levels of PFOA and PFOS shown above are not in compliance with the recently announced MCL, these levels factor in test results from all of Irondale Water System’s permitted wells, including wells previously removed from normal operation.

What is the Irondale Water System Doing About PFAS?

Although the EPA's new regulation provides a window of up to five years (2029) for public water systems to reach full compliance, the Irondale Water System is taking immediate action to remove these contaminants. The Irondale Water System has monitored for PFAS and has temporarily removed wells with the highest levels of contamination from normal operation. Due to the unique chemical properties of PFAS, conventional water treatment plants are incapable of fully removing PFAS from drinking water. As a result, the Irondale Water System is evaluating multiple permanent water filtration systems to reduce PFAS at contaminated sources below the announced MCL.

The Irondale Water System does not believe that the costs or expenses associated with filtering out PFAS in our water supply should be the responsibility of our ratepayers. For that reason, we have engaged outside counsel with extensive experience in PFAS litigation to evaluate and, where necessary, litigate claims against those responsible for the PFAS chemicals in our water supply.

Where Can I Learn More About PFAS and EPA's New Regulation?

For more information about how EPA is regulating PFAS in drinking water, please click [here](#).

PFAS Updates

The City's Water Board held a Water Board meeting at Irondale City Hall on Wednesday, April 17, 2024 to provide an update to Irondale citizens and water department customers concerning the steps that the City's Water Department is taking regarding PFAS. Based upon comments received from concerned citizens during this meeting, the Water Board will include in its April water billings a notification to all water customers that updates on the steps that Irondale is taking to comply with the MCL regulation issued by the EPA may be viewed on the City's website.