U.S. EPA Announces Retainment of MCLs for PFOA and PFOS and Intent to Rescind and Reconsider MCLs for Other PFAS

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The United States Environmental Protection Agency (U.S. EPA) announced today that it will keep the current Maximum Contaminant Levels (MCLs) set by the National Primary Drinking Water Regulations for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS), but intends to rescind and reconsider the regulatory determinations with respect to the MCLs for the other PFAS chemicals: PFHxS, PFNA, and HFPO-DA (GenX) and the hazard index mixture of these three plus PFBS.

U.S. EPA also announced that it intends to issue a proposed rule to delay the compliance date for drinking water systems to develop plans to address PFOA and PFOS from 2029 to 2031. In addition, without providing details in the announcement, U.S. EPA indicated that it intends to establish a federal exemption framework. The announcement states that U.S. EPA plans to issue a proposed rule this coming fall and that it plans to initiate enhanced outreach to water systems.

If you would like to discuss how these changes may impact your business, please contact the authors or any member of the firm's Environmental Practice Group.

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