

EPA Recommends New Requirements to Address PFAS in Wastewater & Stormwater

“In late November 2020, EPA Assistant Administrator, David P. Ross, released a series of recommendations which encourage EPA permit writers to include PFAS monitoring, best management practices, and stormwater pollutant controls as requirements in EPA issued NPDES permits. These recommendations were developed by the recently formed PFAS NPDES Regional Coordinators Committee (‘Committee’), an EPA work group comprised of staff and other contacts from USEPA Headquarters and Regional offices. The Committee’s goal was to develop an interim strategy to address point source discharges of PFAS pending development and adoption of statutory and/or regulatory frameworks for managing PFAS under the Clean Water Act. Specifically, the Committee recommended that EPA permit writers ‘[i]nclude permit requirements for phased-in monitoring’ and ‘best management practices’ (for wastewater discharges) or ‘stormwater pollutant control’ (for stormwater discharges) in EPA-issued NPDES permits for facilities where ‘PFAS are expected to be present’ in the facility’s discharge,” posts Thompson Coburn in *Publications*.

“Little guidance is offered to permit writers as to when PFAS are ‘expected to be present’ in wastewater or stormwater discharges. Rather, permit writers are advised to look to the raw materials stored at the facility, products or byproducts of the facility operation or available data and information from similar facilities. These methods, however, are of little use where the discharger is a publicly owned treatment works (“POTW”) or municipal separate storm sewer systems (‘MS4’).”

Read the article.