

PFAS Regulatory Updates

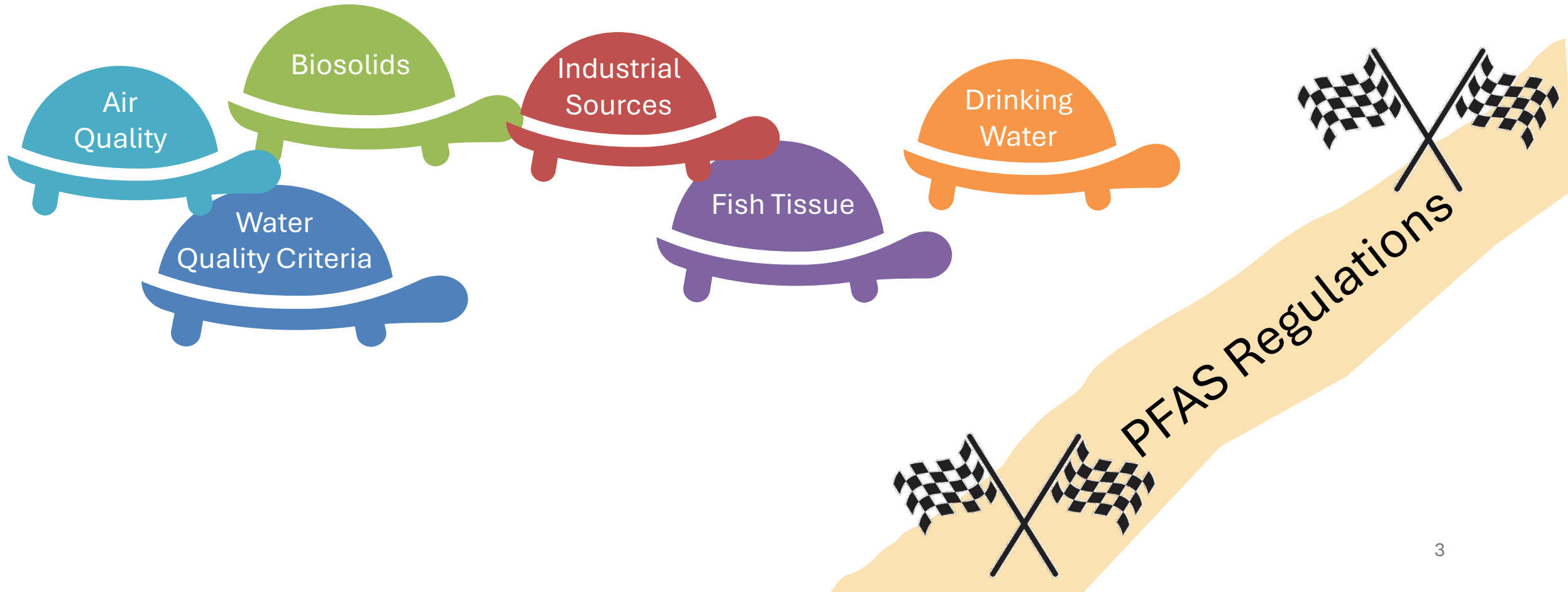
for

BACWA PFAS Forum

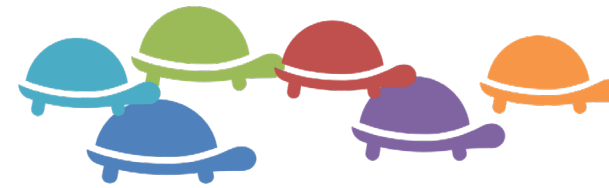
November 18, 2025



PFAS Regulations for the Wastewater Sector: A Slow Race to Limit “Forever” Chemicals



Drinking Water



Wastewater Linkage:

Basin Plans reference drinking water limits as water quality standards

Drinking water limits → NPDES effluent limits

Only applies to water bodies that support drinking water supplies



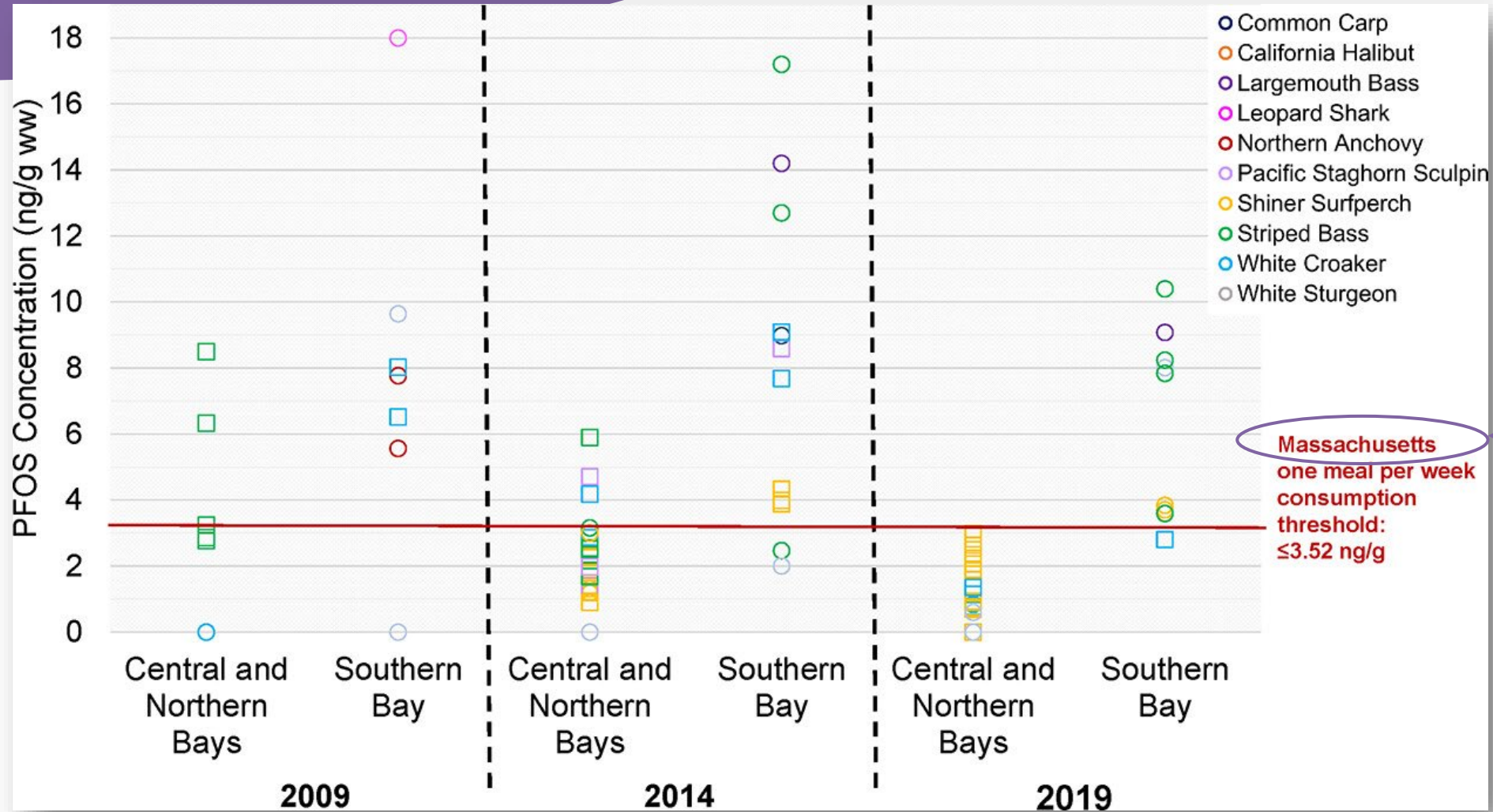
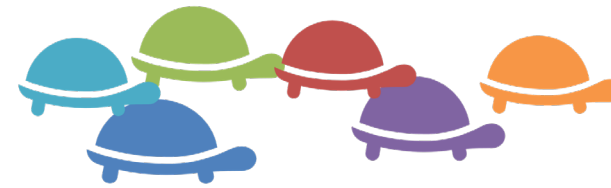
- **Federal:** USEPA has adopted and plans to keep limits for PFOA and PFOS. Compliance Date: 2031
- **State:** CA Division of Drinking Water is working on adopting state drinking water limits.
State is doing preliminary work to support rollout of limits:
 - Revising notification and response levels for PFOA, PFOS, PFHxS, and PFHxA (Oct 2025)
 - Ongoing monitoring of drinking water system

Fish Tissue



- OEHHHA is actively working on recommended thresholds for fish consumption at various concentrations
 - Fish Contaminant Goals (FCGs): Concentration at which there is lifetime 10^{-6} cancer risk from 1/week serving
 - Advisory Tissue Levels (ATLs): Consider **health benefits** of eating fish and correspond to a 10^{-4} cancer risk for various consumption rates.
- Thresholds may be developed as soon as ~2026-2027
- These criteria are used to establish 303(d) listings
 - Next 303(d) listing cycle for SF Bay Region 2 is in 2030
- 303(d) listings can trigger TMDLs and/or limits in NPDES permits. **Example: Dioxin**

Fish Tissue



Source: Méndez et al., ACS ES&T Water, May 20, 2025

Industrial Sources

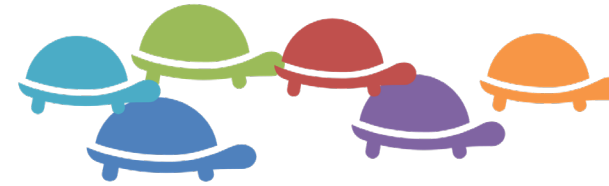


Federal Pretreatment Program

- USEPA is developing **effluent limitation guidelines** for categorical dischargers that are **PFAS Manufacturers (2026)** and **Metal Finishers**.
- Limits for other industries appear to be lower priority (e.g., **landfills**)
- Once new categorical limits are adopted, enforcement is the responsibility of local wastewater agencies with pretreatment programs



Biosolids



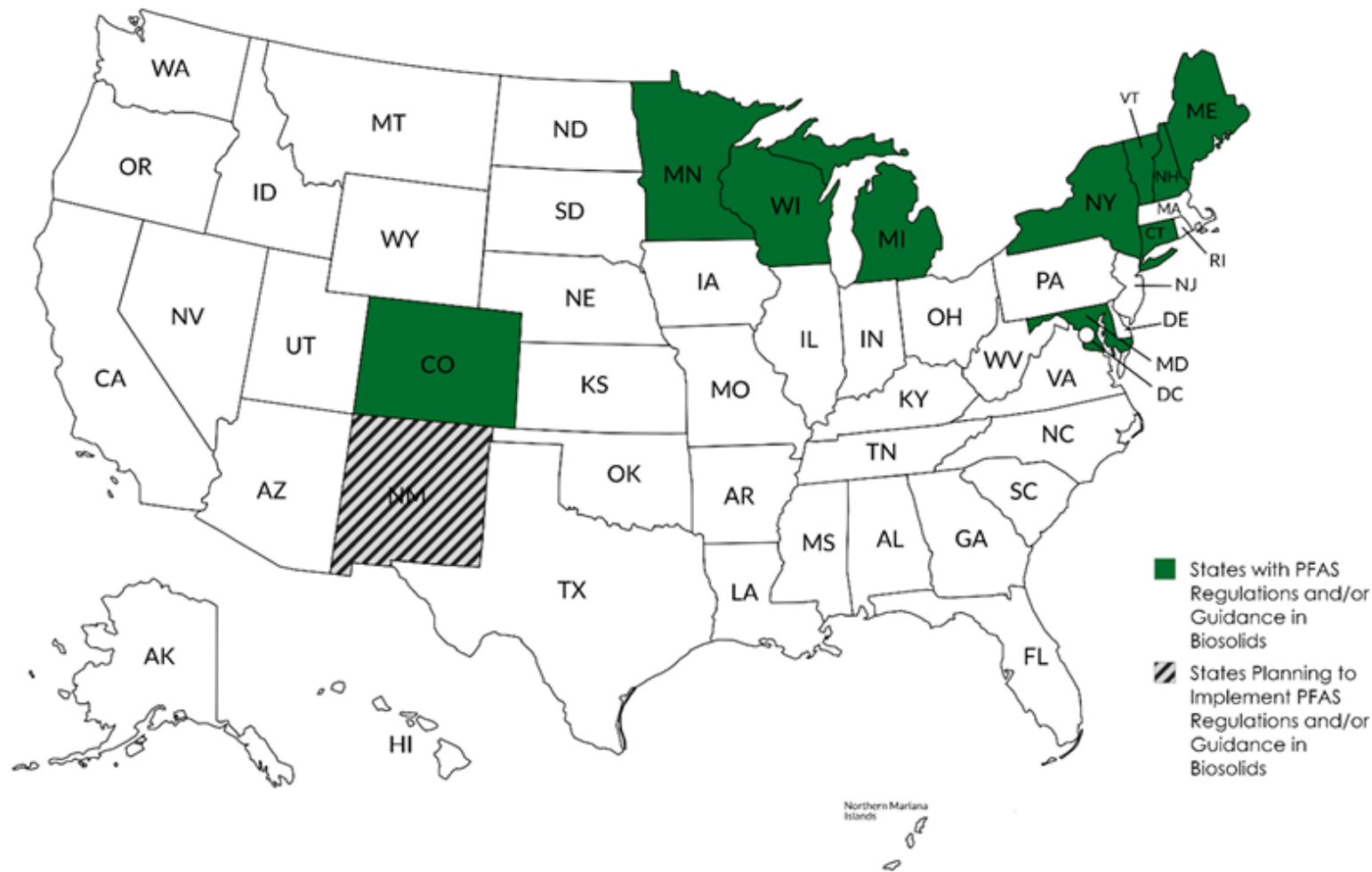
Federal:

- USEPA conducted a **Draft Sewage Sludge Risk Assessment** for PFOA and PFOS. Public comment period ran through August 2025.
 - Current administration may revisit the science of the Draft Risk Assessment.
 - Risk Assessment ≠ regulation, but **could** be followed by regulations
- PFOS and PFOS are Hazardous Substances under CERCLA (2024)
 - USEPA has heard public utilities' concern about **CERCLA liability**
 - In September 2025, USEPA requested that Congress provide statutory language to exempt “passive receivers” (e.g., biosolids)



States with PFAS Guidelines in Biosolids

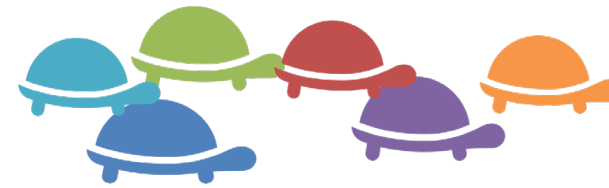
Other states
(with industrial
sources) have
enacted rules for
PFAS in biosolids



This map shows the distribution of states with enacted or planned regulations and/or guidance for PFAS in biosolids.

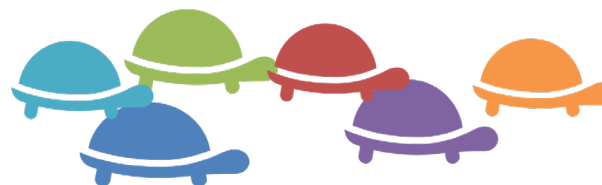
Source: ECOS Compendium of State PFAS Actions, April 2025

Water Quality Criteria



- In 2024, USEPA developed draft water quality criteria based on human health (fish consumption).
BACWA submitted comments.
- Eventually, federal water quality criteria **could** be added to the SF Bay Basin Plan to protect beneficial uses related to fishing in the Bay.
- **This effort is currently paused.**

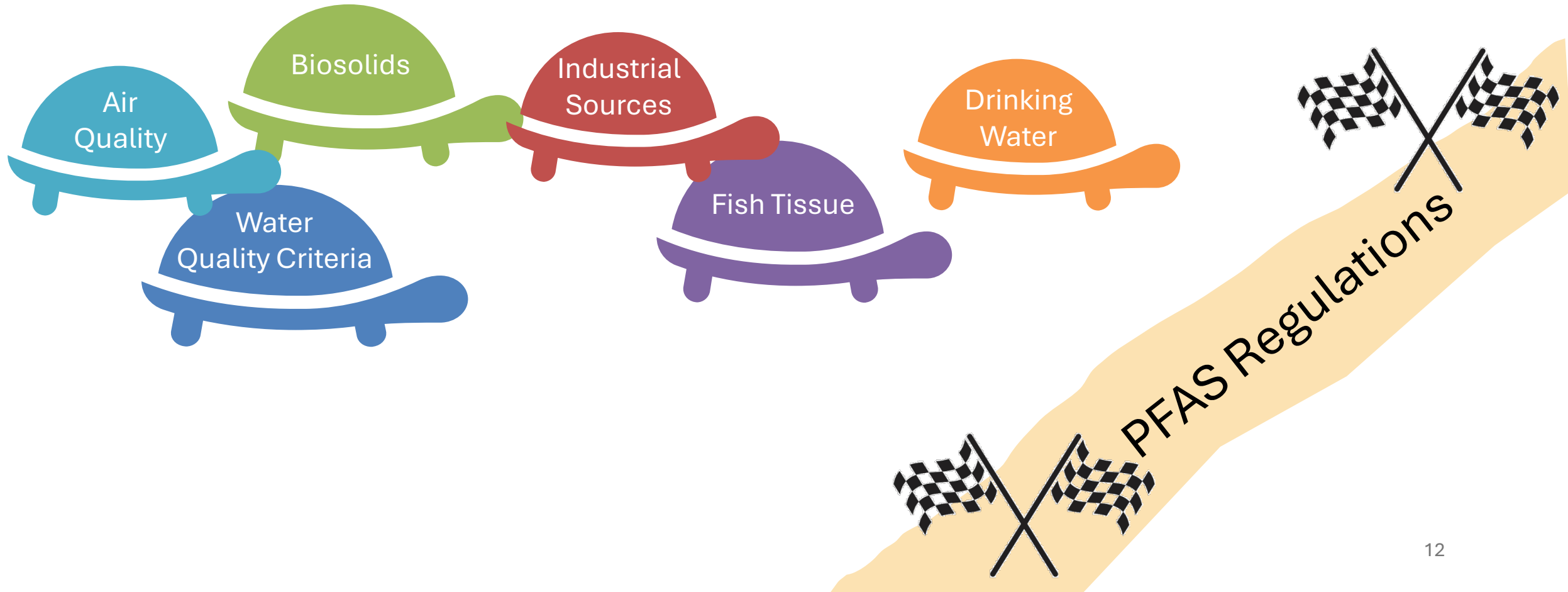
Air Quality



- Some PFAS compounds are volatile – air emissions *may* be a concern in the future
- Air emissions are critical for differentiating PFAS destruction from PFAS reduction
- Analytical methods for use in a regulatory context are still under development by USEPA and partners

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Methods and Monitoring

 USEPA – Planned-for *POTW Influent PFAS Study* is paused

 USEPA – Planning to promulgate PFAS Methods 1633 and 1621 as **Clean Water Act Methods**.

USEPA Schedule: Finalize March 2026

 **NPDES Permit Reissuances** will likely trigger PFAS effluent monitoring.

USEPA Schedule: Propose in Late 2025, Finalize by 2027

Source Control – Wins and Losses

- ✓ **Cosmetics:** Ban on intentionally-added PFAS in effect in 2025
- ✓ **Textiles:** Ban on intentionally-added PFAS in effect in 2025
- ✓ Department of Toxic Substances Control continues to consider PFAS in the Safer Consumer Products Program – evaluation of floor polishes and waxes underway in 2025-2026
- ✗ **SB 682:** Would have banned PFAS in cleaning products, ski wax, food packaging, dental floss, and cookware, but Governor vetoed
- ✗ **Toxic Substances Control Act (TSCA):** 2023 rule required reporting on manufactured and imported PFAS. EPA proposed new exemptions and extensions in Nov. 2025