



Department  
of Health

# Proposed Maximum Contaminant Levels (MCLs)

PFOA, PFOS and 1,4-Dioxane

# What are PFOA, PFOS and 1,4-Dioxane?

- Chemicals used by industry and in consumer products
  - PFOA: coatings for fabric, paper, packaging, cookware
  - PFOS: fire-fighting foams
  - 1,4-Dioxane: solvent stabilizer used by industry
- Most uses and releases were in the past
- Persistent in groundwater
- Limited NYS testing indicates private/public water supply impacts

# What is an MCL?

- Maximum permissible level of a contaminant in a public drinking water supply
- MCLs are enforceable standards
- Require water suppliers to test and report results
- If MCL exceeded, supply must take steps to reduce concentration and make public notification to consumers

# How Protective are these MCLs?

- MCLs set far below any adverse health effects in animal studies
  - studies define level where toxicity begins, MCL much less
- Protective of all life stages including pregnancy, children
- Requires long-term (years) exposure for any health risk
- PFOA/PFOS proposed MCLs are 7 fold below current USEPA Health Advisory

# New York State Actions

- The proposed MCLs for PFOA and PFOS are the most protective in the nation.
- The proposed MCL for 1,4-Dioxane is the first in nation.
- NYS MCLs needed due to absence of national MCLs - will ensure New Yorkers have high quality drinking water.

# Development of the Proposed MCLs

- Drinking Water Quality Council (DWQC) process
  - Expert independent science panel
  - 4 meetings in 2017-2018
    - Reviewed occurrence, health risks, treatment/feasibility
    - Recommended MCLs, Dec 2018
      - 10 ppt for PFOA
      - 10 ppt for PFOS
      - 1 ppb for 1,4-dioxane

# Rule Making Process

- DOH Commissioner is adopting DWQC recommendations
- Rulemaking package incorporates the proposed MCLs into state drinking water regs
- Reg package published in State Register on July 24<sup>th</sup>
- 60 day comment period through September 22<sup>nd</sup>
- DOH will complete an assessment of public comment and either adopt the regulation or propose revisions
- Final regs reviewed/approved by PHHPC
- Then published in State Register, effective at that time

# Implementation/Monitoring

- Public supplies required to begin monitoring within 60 days of publication of the final reg
  - Quarterly monitoring thereafter
  - Phased in based upon system size with smallest systems having longer time
  - Pre-existing sampling may help fulfill the initial monitoring requirement



# MCL Exceedances

- An exceedance defined as detection above MCL based upon average of initial and confirming sample
- Notification requirement by water supply w/in 30 days to customers
- Compliance schedule established to meet the MCL
  - Submit an action plan proposing compliance as quickly as possible, dependent upon solution, e.g.,
    - Advanced oxidation process for 1,4-dioxane
    - Granular activated carbon for PFOA/PFOS
    - Development of alternative source

# Funding

- \$350M available via Water Infrastructure Improvement Act
  - DOH/EFC will assist supplies with funding process
  - Funding for Ecs recently announced
    - 9 systems, 3 million each for instillation of AOP
    - 14 systems receiving planning grants
  - Additional rounds will be made available