



DATE: June 14, 2018

TO: Washington State Board of Health Members

FROM: Keith Grellner
Environmental Health Committee Chair

SUBJECT: UPDATE—CHAPTER 246-290 WAC, GROUP A PUBLIC WATER SUPPLIES, PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

Background and Summary:

In October 2017, the State Board of Health (Board) accepted a petition to initiate rule making to consider setting a drinking water standard for per- and polyfluoroalkyl substances (PFAS) in chapter 246-290 WAC, Group A Public Water Supplies. The Board filed a CR-101, Preproposal Statement of Inquiry, on December 15, 2017 in the Washington State Register, WSR 18-01-080.

The Washington Department of Health (Department) is evaluating options for setting a state PFAS drinking water standard concerning the appropriate:

- Regulatory mechanism—either a maximum contaminant level (MCL) or a state advisory level (SAL);
- Numeric standard; and
- List of PFAS chemicals.

As background, the U.S. Environmental Protection Agency (EPA) set a health advisory level of 70 parts per trillion in 2016. EPA's health advisory level applies to two PFAS chemicals, perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). The state standard may be different.

The Department is also evaluating the possibility of establishing a stronger framework in the rules to regulate PFAS and other unregulated contaminants as SALs. As such, the briefing by the Department will address work on the PFAS standard as well as broader work potentially establishing rule requirements for setting SALs for PFAS and other unregulated contaminants.

The briefing will begin with an overview of PFAS by Lauren Jenks, Director of the Office of Environmental Public Health Sciences. Ms. Jenks will discuss sources and health risks of PFAS, the science of PFAS chemicals, known occurrence of PFAS in Washington drinking water, status of the state PFAS chemical action plan, 2018 PFAS legislation in Washington, and national policy work on PFAS.

Scott Torpie, Manager, Office of Drinking Water Engineering and Technical Services, will discuss the Department's PFAS drinking water sampling project and impacts to drinking water supplies in Washington. He will also compare procedures and requirements for setting and regulating MCLs and SALs for the Board to determine the appropriate regulatory mechanisms for PFAS and other unregulated contaminants. (See the accompanying table comparing the two mechanisms.) The analysis and discussion of advantages and disadvantages is intended to inform and ready the Board for a decision at its August meeting on the preferred mechanism for setting a standard and regulating PFAS as an MCL or a SAL.

The update at this month's meeting is informational only with no action required.

Staff: Stuart Glasoe