

Draft U.S. Environmental Protection Agency Region 1 NPDES General Permit (Massachusetts) Facilities: PFAS Monitoring



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The National Association of Clean Water Agencies (“NACWA”) submitted April 26th comments to Region 1 of the United States Environmental Protection Agency (“EPA”) addressing its draft National Pollutant Discharge Elimination System (“NPDES”) General Permit for Medium Wastewater Treatment Facilities (“General Permit”) in Massachusetts.

A focus of the NACWA comments was the draft General Permit’s incorporation of certain monitoring requirements for per- and polyfluoroalkyl (“PFAS”) substances.

PFAS are a group of man-made chemicals that have been used in various industrial applications and consumer products for a number of years. Properties of these chemicals include resistance to heat, water, and oil. They have been described as persistent in the environment and resist degradation. Potential human exposure to PFAS includes pathways through drinking water, air or food.

NACWA describes itself as representing the interest of over 340 publicly owned wastewater utilities of all sizes across the country. Such utilities are stated to provide the service of treating billions of gallons of United States wastewater and managing the millions of tons of biosolids generated as a byproduct of the wastewater treatment process.

PFAS may potentially affect public owned treatment works (“POTWs”) and municipal wastewater treatment facilities in a number of ways. For example, POTWs receive discharges that may contain PFAS from a number of commercial and industrial sources. Further complication may be the fact that conventional POTW wastewater treatment does not affectively remove PFAS that it receives. In addition, concern has been expressed that PFAS could unnecessarily adversely affect a POTW’s ability to manage municipal biosolids.

While the referenced General Permit is only applicable to certain facilities in Massachusetts, NACWA’s interest is the likelihood that other EPA Regions and delegated states may at some point incorporate similar requirements.

The General Permit requires quarterly sampling using Method 1633 for detecting PFAS for:

- Influent
- Effluent
- Biosolids
- Upstream industrial sources

Consequently, discharge monitoring report concentrations must be submitted for six PFAS substances and any other identified PFAS.

The April 26th NACWA comments express concern regarding:

- Mandating the collection and reporting of PFAS (as opposed to soliciting voluntary information)
- POTWs/wastewater treatment facilities do not produce, manufacture or profit from PFAS substances but receive them
- A POTW has no discretion in the influent it receives and is responsible for treating under the Clean Water Act
- POTWs are not typically designed or intended to treat PFAS substances
- There is an absence of cost-effective techniques to treat or remove PFAS in large volumes of wastewater biosolids

As a result, NACWA instead supports EPA using applicable authority to:

. . . evaluate and, as necessary, develop effluent limitation guidelines (ELGs) and pretreatment standards for industrial categories discharging PFAS-containing wastewater directly or through municipal sewer systems.

NACWA also requests that EPA provide guidance and financial support for utilities attempting to collect PFAS informational data within their service area.

The use of Method 1633 to measure 40 different PFAS substances in wastewater, surface water, biosolids and sediment is also discussed. The organization notes that the Method has not been promulgated under the Clean Water Act Part 136's methodologies.

EPA Region 1 is asked to:

. . . provide a grace period to monitor for PFAS using Method 1633 until the methodology passes the multi-laboratory validation stage and a formal promulgation under the CWA occurs.

Finally, NACWA notes that once PFAS monitoring and reporting requirements are placed into these NPDES permits the data will be uploaded online without multi-lab validated methodology or any context. As a result, concern is expressed that the public may misinterpret this data.

The comments ask that EPA Region 1 not require reporting under eDMRs and instead have such information provided directly to EPA Region 1.

A copy of the April 26th comments can be downloaded [here](#).