



PFAS: Critical Updates and Moving Forward

DEQ's Implementation of HB 1085 and SB 243

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PFAS Legislative History Before 2024

- HB 2762 (Del. Bulova, 2019) – prohibited the use of class B firefighting foam that contains PFAS for testing or training purposes beginning July 1, 2024
- HB 586 (Del. Guzman, 2020) – directed VDH to establish a workgroup to look at certain PFAS substances in public drinking water
- HB 2189 (Del. Rasoul, 2023) – required publicly owned treatment works' pretreatment standards to require certain industrial users to test their wastestream for PFAS chemicals



2024 Legislation – HB 1085 (Del. Rasoul) and SB 243 (Sen. McPike)

- Requires VDH to transfer to DEQ monitoring results that indicate PFAS MCL exceedances
- DEQ is then required to develop and implement a plan to prioritize and conduct PFAS assessments to identify sources of PFAS in a public water system's raw water source

2024 Legislation – HB 1085 and SB 243



- Establishes PFAS self-reporting requirements for facilities that DEQ determines to be a potential source of PFAS in a public water system's raw water source
- Establishes requirements for PFAS monitoring for facilities deemed by DEQ to be a potential significant source of PFAS in a public water system's raw water source

2024 Legislation – HB 1085 and SB 243

- Establishes a PFAS Expert Advisory Committee to assist DEQ and VDH in identifying:
 - PFAS sources through PFAS assessments and associated monitoring and reporting
 - Public and private lab testing capacity issues
 - Options for reducing PFAS in surface waters causing PFAS MCL exceedances
- Reporting requirements

Budget Support for HB 1085 and SB 243

- The 2024-2026 Biennium Budget includes \$380,160 in each year for implementation of HB 1085 and SB 213
- This provides funding for three positions at DEQ



HB 1085 and SB 243 Implementation

- DEQ has advertised and interviewed for all three staff positions:
 - PFAS coordinator
 - PFAS monitoring position
 - PFAS permitting position

HB 1085 and SB 243 Implementation



- DEQ is already receiving data from VDH
 - Will review all data and prioritize
- PFAS Expert Advisory Committee
 - Will assist DEQ in determining how to prioritize for PFAS assessments
- PFAS assessments
 - Self-reporting
 - Monitoring
 - Work to reduce sources

The Broader Picture / Future

- EPA has:
 - Finalized Method 1633
 - This is a method to test for 40 PFAS chemicals in wastewater, surface water, groundwater, soil, biosolids, sediment, landfill leachate, and fish tissue
 - Methods 533 and 537.1, referenced by VDH, are for testing for PFAS substances in drinking water
 - Issued MCLs for certain PFAS chemicals in drinking water
 - Finalized a rule to designate certain PFAS chemicals as hazardous substances under CERCLA
- Anticipate EPA will in the future:
 - Issue water quality standards; these will lead to effluent limits and permit limits



Questions?

**For updates visit:
www.deq.virginia.gov/PFAS**