

HOW PFAS STATE DRINKING WATER STANDARDS AFFECT PART 201 GENERIC CLEANUP CRITERIA

Once they are established, the PFOA and PFOS state drinking water standards, or Maximum Contaminant Levels (MCLs), replace the existing PFOA and PFOS generic cleanup criteria for groundwater used as drinking water that was established under Part 201, Environmental Remediation, of the NREPA [MCL 324.20120a(5)].

There are no Part 201 generic cleanup criteria established for PFNA, PFHxA, PFHxS, PFBS, or GenX. Because there are no generic cleanup criteria, the Michigan Department of Environment, Great Lakes, and Energy (EGLE) is allowed to develop generic criteria for these substances using statutory provisions as follows:

- If the criterion calculated pursuant to the statutory process differs from the MCL for a substance, the MCL becomes the criterion for the substance. The calculated cleanup criteria value will differ from the MCLs due to the established risk assessment assumptions for the cleanup program.
- To establish the generic cleanup criteria for these substances, EGLE must publish the MCLs as the criterion and initiate rulemaking within the statutory time frame.
- The associated generic PFAS cleanup criteria for soils protective of groundwater used for drinking water based on the MCLs can be established using the same process [MCL 324.20120a(23)].

The Part 201 PFOA and PFOS generic cleanup criteria for groundwater venting to surface water (Groundwater/Surface water Interface, or GSI,) are the Water Quality Standards (WQSs). If the toxicity data used to establish the PFAS MCLs result in any change to the existing PFOA or PFOS WQSs, or there are additional PFAS WQSs established, they will become the Part 201 generic GSI cleanup criteria [MCL 324.20120e(1)(a)]. Associated generic PFAS cleanup criteria for soils protective of the GSI based on revised or new WQSs can be established using the statutory provisions.

MORE INFORMATION

For further information on this subject, please contact Eric Wildfang, Toxicologist, EGLE Remediation and Redevelopment Division, at 517-284-5170 or WildfangE@Michigan.gov.

Michigan's Environmental Justice Policy promotes the fair, non-discriminatory treatment and meaningful involvement of Michigan's residents regarding the development, implementation, and enforcement of environmental laws, regulations, and policies by this state. Fair, non-discriminatory treatment intends that no group of people, including racial, ethnic, or low-income populations, will bear a disproportionately greater burden resulting from environmental laws, regulations, policies, and decision-making. Meaningful involvement of residents ensures an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health.

HOW PFAS STATE DRINKING WATER STANDARDS AFFECT SURFACE WATER QUALITY STANDARDS

WATER RESOURCES GUIDANCE

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) determines the concentration of substances in surface waters that would not be expected to cause adverse effects to human health using the methodology described in Rule 57 (R 323.1057) of the Part 4 Rules, Water Quality Standards, promulgated under Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Human health Water Quality Standards (WQSs) for perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) have been derived using this methodology.

The following are definitions for the drinking and nondrinking water human health WQSs:

- Human health WQS (**nondrinking**) - the maximum ambient water concentration of a substance at which adverse noncancer effects are not likely to occur in the human population following lifetime exposure by consuming fish from the water and incidental ingestion of surface water during water-related recreation activities.
- Human health WQS (**drinking**) - the maximum ambient water concentration of a substance at which adverse noncancer effects are not likely to occur in the human population following lifetime exposure by drinking the water, as well as consuming fish from the water, and incidental ingestion of surface water during water-related recreation activities.

A drinking water standard, or Maximum Contaminant Level (MCL), differs substantially from a human health WQS (drinking) because a MCL applies only to the ingestion of finished drinking water and does not incorporate the various other exposure pathways used to generate a human health WQS. Therefore, the promulgation of the drinking water standards for PFOS and PFOA will not directly affect the surface water quality standards. However, the toxicity data used to generate the MCLs will be reviewed when current human health WQSs are updated and during the assessment of other PFAS for possible WQS development.

MORE INFORMATION

For further information on this subject, please contact Dennis Bush, Toxicology Manager, EGLE Water Resources Division, at 517-284-5522 or BushD6@Michigan.gov.

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