

## Michigan Adopts New Regulations for Seven PFAS in Drinking Water

August 2020



**Michigan has adopted Maximum Contaminant Levels (MCLs) for PFOA, PFOS, PFNA, PFHxA, PFHxS, PFBS, and HFPO-DA. The MCLs for PFOA and PFOS will also apply as generic clean-up criteria for groundwater used as drinking water.**

### Maximum Contaminant Levels (MCLs) for Seven PFAS

Michigan Department of Environment, Great Lakes, and Energy (EGLE) announced on 22 July 2020 the adoption of Maximum Contaminant Levels for seven per- and polyfluoroalkyl substances (PFAS), as listed below. The MCLs for PFOA and PFNA are now the lowest promulgated standards in the United States.

Chemical	Abbreviation	CASN	MCL (ppt)
Perfluorohexanoic acid	PFHxA	307-24-4	400,000
Perfluorooctanoic acid	PFOA	335-67-1	8
Perfluoronanoic acid	PFNA	375-95-1	6
Perfluorobutane sulfonic acid	PFBS	206-793-1	420
Perfluorohexane sulfonic acid	PFHxS	355-46-4	51
Perfluorooctane sulfonic acid	PFOS	1763-23-1	16
Hexafluoropropylene Oxide-dimer Acid	HFPO-DA	13252-13	370

CASN – Chemical Abstract Registry Number  
 ppt – parts per trillion (nanograms per liter, ng/L)  
 HFPO-DA is often referred to as “Gen-X”

The Standards are expected to be effective as of 3 August 2020 (or seven days after the rules are filed with the Secretary of State).

### Groundwater and Soil Clean-Up Criteria for PFAS

Once the MCLs for PFOA and PFOS are effective, these values will also automatically replace the existing generic clean-up criteria for groundwater used as drinking water for PFOA and PFOS under Part 201 (Environmental Remediation) of the Natural Resources and Environmental Protection Act (MCL 324.20120a(5)).

Because no generic clean-up criteria exists for PFNA, PFHxA, PFHxS, PFBS, and HFPO-DA, Michigan must initiate rulemaking to establish the MCLs as clean-up criteria.

In the future, Michigan can use the same process to develop PFAS clean-up criteria for soils to be protective of groundwater, Water Quality Standards (WQSs) for groundwater discharging



to surface water (groundwater/surface water interface [GSI]), and criteria for soils to be protective of the GSI.

## What Do These PFAS Rules Mean for Your Site?

At this time, Michigan estimates that at least 42 new sites (including landfills, former plating facilities and other manufacturing sites) will require investigation and potentially remediation based on these new rules. Assessments to determine the sources of PFAS impacts to public water systems with PFAS concentrations of 10 ppt or higher will also likely bring additional sites under investigation for PFAS.

## What are PFAS?

Per- and polyfluoroalkyl substances (PFAS) are a complex class of chemicals that include more than 4,000 fluorinated compounds with varying physical and chemical properties. Because the fluorine-carbon bond is one of the strongest chemical bonds, fully fluorinated PFAS tend to be very resistant to thermal, chemical, and biological degradation. These properties make them useful in many industrial applications and consumer products.

## ERM can help

ERM has technical experts experienced with PFAS and we are tracking this issue with MI EGLE and other regulatory agencies in the US and around the world to provide advice and advocacy for our clients.

ERM can help your company evaluate the impact of the new drinking water regulations on your facility, including:

- The likelihood of PFAS use based on facility history
- Knowledge and understanding of the latest PFAS sampling and analysis guidance and requirements

## Key contacts

For further information on how ERM can provide you with up-to-date PFAS information and solutions, please contact:

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## PFAS Use

Potential PFAS containing products or processes include, but are not limited to:

- Fluoropolymer/fluorocopolymer manufacturing and applications
- Class B firefighting foams
- Metal plating/etching, wire manufacturing
- Wire and cable
- Oil and water-resistant coatings
- Automotive and aviation oils
- Hydraulic fluids
- Fluoropolymer applications
- Textiles/leather
- Paper products
- Industrial surfactants/resins/molds/plastics
- Paints, varnish, dyes, inks
- Polishes, waxes, adhesives
- Photolithography