

November 2023 PFAS Legislative Developments

Article By:

John Gardella

Amaran Toppa

Tori Paiva

November Legislation Tracking (November 1 – November 30)

Federal Legislature

- No new bills were introduced in November.

Federal Regulations

- 88 FR 80717. On 11/20/23, the EPA gave notice in the federal register to support further development of multiple funding programs for water infrastructure. The EPA invites public comment to inform the domestic availability of multiple products used in the construction, alteration, and/or maintenance of water infrastructure. PFAS treatment systems are a subject to be included in the comments.
- 88 FR 83125. On 11/28/2023, the EPA gave notice that it is planning to submit an information collection request (ICR), referred to as, “U.S. Environmental Protection Agency Textile Mills Industry Data Collection.” Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection. The EPA has determined that PFAS have been and continue to be used by textile and carpet manufacturers. The EPA’s review of PFAS use and discharge by the textile mills point source category is largely based on publicly available information and literature. Based on a small number of sample results, EPA determined that PFAS are present in wastewater discharges from some textile mills to POTWs. Most textile mills are neither monitoring for PFAS, nor required to do so. Therefore, the EPA expects that textile mills may be discharging PFAS to POTWs or surface waters even when the textile mill no longer uses PFAS in their process. A questionnaire for the textile mills industry is necessary for the EPA to determine if the current regulations remain appropriate and, if warranted, to develop and propose new regulations.

State Legislature

- No bills were introduced.

State Regulations

- On 11/21/2023, In Rhode Island (RI), the Department of Health proposed a rule regarding public drinking water (216-RICR-50-05-1). This stipulates various new protocol for monitoring PFAS levels and addressing detected contamination. Among the requirements, newly constructed or reconstructed wells shall perform procedures and testing which include screening for PFAS levels. Notification must be made if the total PFAS results exceed 20 ppt.

New Bills This Period

PFAS Legislation

Federal

- No bills introduced.

State

- No bills introduced.
- Amendments made to two existing bills.

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