ENSAFE

PFAS COMPLIANCE & POLLUTION PREVENTION

OUR ROLE: To help our clients navigate this evolving regulatory challenge and to manage their PFAS liabilities over the long term.

Environmental Management & Planning | Civil/Remediation Engineering | Environmental Restoration | Natural & Water Resources | Health & Safety | Technology

WHAT ARE PFAS?

Man-made chemicals widely manufactured since the 1950s.

Used in many household and industrial products because of **stain- and water-repellant** properties.

Present **virtually everywhere in the world** (soil, groundwater, surface water, rain, ice caps, air, plants, animal tissue, blood serum) because of widespread use and slow breakdown.

Found in **fire-fighting foam, mist suppressants for metal plating operations, and coatings on furniture, carpets, and clothing**.

Highest concentrations linked to direct discharges from industries where PFAS are in use.

Extremely mobile (i.e., can travel significantly beyond the original point of release) in groundwater and surface water and **persistent in environmental media** (i.e., does not degrade to innocuous end products).

ON THE CUTTING EDGE OF EMERGING CONTAMINANT ISSUES:

While perfluoroalkyl substances (PFAS) have been regulated under the Toxic Substances Control Act (TSCA) since 2002 and had been the focus of early, targeted stewardship programs by the United States Environmental Protection Agency (U.S. EPA), they rapidly emerged as constituents of concern after being identified in drinking water systems and consumer products in the 2000s and 2010s. On February 14, 2019, the U.S. EPA released the PFAS Action Plan, which addressed potential inclusion of PFAS chemicals under the Safe Drinking Water Act, Toxics Release Inventory (TRI) Program, Toxic Substances Control Act (TSCA), and the Comprehensive Environmental Response, Compensation, and Liability Act. Multiple federal rule and policy changes have since been proposed, and several have gone into effect, including expansions of TRI and TSCA as they apply to PFAS, and inclusion of PFAS compounds on permits issued under the National Pollutant Discharge Elimination System (NPDES) Program. However, other key changes are still in development, including a proposal that would require reporting of PFAS air emissions under the Clean Air Act (CAA). In addition to federal regulatory responses, some states have developed regulations both for PFAS and products that contain PFAS, many of which are changing rapidly.

That's why EnSafe actively monitors regulatory developments, identifies changes in laboratory methods, and assesses treatment technologies that may apply to your water and wastewater treatment needs. Our vigilance helps ensure that our clients' compliance decisions are based on the most recent and technically defensible science.

OUR GOAL IS TO HELP CLIENTS DEVELOP STRATEGIES TO MINIMIZE PFAS LIABILITIES AND CRAFT END-GAME SOLUTIONS.

Our vigilance helps ensure our clients' compliance, investigation, remediation, and due-diligence decisions are based on the most recent and technically defensible science and reflect a sound strategy for managing PFAS over the long term.

HOW CAN WE HELP?

Due Diligence/Background Research: EnSafe's experts have the up-to-date knowledge, experience, and resources for providing historical research on PFAS usage, whether we are performing a Phase I Environmental Site Assessment or providing project-specific research necessary to identify potential liabilities and determine the most appropriate strategic approach to mitigate risks.

Environmental Reporting: EnSafe has extensive experience in TRI, TSCA, NPDES, and CAA-related reporting for multiple industries across numerous jurisdictions. Our compliance professionals are actively monitoring regulatory changes and can assist with information gathering, threshold/applicability determination, and report preparation and submittals.

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Water/Wastewater Treatment and Pollution Prevention: Because treatment options are primarily limited to specialty carbon-based treatment or ion exchange, which can be expensive, most in-plant solutions consist of pollution prevention/waste minimization solutions. Identifying the source of PFAS, determining whether PFAS can be eliminated from the process, and/or isolating PFAS from the primary wastewater stream are all key to minimizing regulatory liabilities. EnSafe's experts keep our clients apprised of best practices as technology advances to catch up with the evolving regulatory environment.

Pollution Prevention: Whether the impacts are to wastewater, storm water, or wastes, Pollution Prevention (P2) is one of the first lines of defense. P2 eliminates or reduces contaminants within facilities, rather than addressing pollution after it is generated. Because PFAS are difficult to identify within a facility, EnSafe's approach includes a deep dive into processes, interface with suppliers to understand chemistry, verification through testing, and coordination with management and process engineering teams.

AFFF Management: Many of our clients have used Aqueous Film Forming Foam (AFFF). EnSafe is assisting clients with identifying alternate foams or transitioning to fluorine-free foams to minimize future liabilities. In partnership with EnSafe's wholly owned subsidiary, GR2, we offer turn-key services, including front-end research, planning, and design through decommissioning/decontaminating suppression systems and apparatus, and managing AFFF wastes.

Community Relations: EnSafe works hand-in-hand with our clients, regulators, and government officials to establish community relation programs. We support community information sessions, website portals, and other education and outreach throughout the PFAS mitigation process, particularly when private potable wells or adjacent receptors (streams, wetlands) have been adversely impacted. This may be of particular concern if a client is or has been coordinating biosolids disposal.

CURRENT REGULATIONS:

While PFAS reporting has been required under TSCA since 2002, rule changes in 2023 have expanded requirements. Similarly, changes to TRI in 2023 have eliminated de minimis exemptions, significantly expanding reporting requirements. The U.S. EPA is also implementing PFAS regulation via NPDES, which will take place during a facility's next permit renewal. Facilities with industrial user permits (i.e., discharge to sanitary sewers) can also expect to see PFAS discharge limits, as their receiving facility will be required to implement PFAS limits on users under the new NPDES procedures. Several states are also regulating biosolids applications, with the federal government anticipated to provide more guidance within the next one to two years.

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Scan the QR code for the latest PFAS regulation updates and download EnSafe's detailed SOQ for more information.