



Memorandum

Privileged & Confidential Attorney Work Product

To: FWEA Utility Council

From: Chad E. Revis

Re: EPA Guidance on Addressing PFAS Discharges

The EPA released a memorandum on December 5, 2022 to provide guidance for addressing per-and polyfluoroalkyl substances in NPDES permits and through the pretreatment program and monitoring programs. The Agency’s stated objective is to cooperate with state permitting authorities “to leverage the NPDES program to restrict the discharge of PFAS at their sources.” Within the guidance and recommendations are steps that permit writers can currently take to reduce PFAS discharge. Additional guidance is provided “for addressing sewage sludge PFAS contamination more rapidly than possible with monitoring based solely on NPDES permit renewals.”

To identify PFAS sources, the memo recommends states use the most current sampling and analysis methods in their NPDES programs. The Agency also recommends this method to take action upon identification using the states’ pretreatment and permitting authorities. These and other recommendations in the memo will ultimately result in access to comprehensive information and better monitoring in an effort to implement the goals set forth in the [PFAS Strategic Roadmap](#).

The memo sets forth several groups of recommendations and guidance including: recommendations for applicable industrial direct dischargers; recommendations for publicly owned treatment works; recommended biosolids assessment; and recommended public notice for draft permits with PFAS-specific conditions.

Find the memo in its entirety [here](#).