



Summary of Draft Rule Changes PFAS Standards

September 2020

The State Board of Health is drafting changes to the Group A Rule to set a standard for Per- and Polyfluoroalkyl Substances (PFAS). The draft revisions include criteria for setting state action levels (SAL) for contaminants without an established federal maximum contaminant level (MCL), sets requirements for adopting a state MCL, requirements for monitoring and reporting, follow-up actions, and public notification.

The draft revisions also make technical corrections and editorial changes to clarify existing state and federal requirements throughout the chapter.

WAC 246-290 Section Number and Title	Summary of Changes
-010 Definitions, abbreviations, and acronyms	<ul style="list-style-type: none">• Technical changes to make corrections and align with federal regulations.• Revised some definitions.• New definitions to align with changes:<ul style="list-style-type: none">○ Adverse effect○ Bioaccumulative○ Metabolite○ Per- and Polyfluoroalkyl substances (PFAS)○ Public health concern○ Running annual average (RAA)○ State action level (SAL)○ State detection reporting limit (SDRL)
-130 Source approval	<ul style="list-style-type: none">• Adds initial water quality analysis for PFAS contaminants for source approval except where waived or not applicable.
-300 Monitoring requirements	<ul style="list-style-type: none">• Technical change to clarify sample analysis is performed using EPA-approved methods or other department-approved methods.• Editorial change to move a note into the subsection paragraph.• Deleted several outdated monitoring requirements to align with federal regulations.• Requires confirmation samples as determined by the department.• Clarified that averaging of samples is based on either locational running annual average or running annual average.• Added monitoring requirements for several contaminants with state action levels, including PFAS.• Added the potential for monitoring waiver options for contaminants with an SAL.• Clarified monitoring requirements for other contaminants based on public health concern.• Several minor technical and editorial changes to improve clarity.

WAC 246-290 Section Number and Title	Summary of Changes
-310 Maximum contaminant levels (MCL) and maximum residual disinfectant levels	<ul style="list-style-type: none"> • Moved public notification requirements for an <i>E. coli</i> MCL violation from a "note" into the subsection. • Removed nickel MCL to align with federal regulations. • Moved requirements for "other contaminants" into a new section -315, SALs and state MCLs. • Added references to the CFR for organic and inorganic standards.
-315 State action levels (SALs) and state maximum contaminant levels (MCLs) New Section	<ul style="list-style-type: none"> • Added criteria the department uses to select an unregulated contaminant for developing an SAL. • Added requirements for the State Board of Health to consider the department's findings when considering adoption of a SAL. • Added previously board-approved SALs for several contaminants and added new SALs for PFAS. • Added a process to develop state MCLs.
-320 Follow up action	<ul style="list-style-type: none"> • Technical changes to make corrections and align with federal regulations. • Requires additional monitoring and public notification if a water system exceeds an SAL. • Added monitoring requirements for organic and inorganic contaminants with an SAL. • Editorial changes to improve clarity.
-455 Operation of chemical contaminant treatment facilities	<ul style="list-style-type: none"> • Added monitoring requirements for purveyors that use treatment to remove a contaminant with an SAL.
-480 Recordkeeping and reporting	<ul style="list-style-type: none"> • Added recordkeeping requirements for SAL exceedances.
-490 Cross-connection control	<ul style="list-style-type: none"> • Corrected table numbers to align with changes to other sections.
-638 Analytical requirements	<ul style="list-style-type: none"> • Technical changes to align with federal requirements.
-654 Treatment criteria for filtered systems	<ul style="list-style-type: none"> • Corrected table numbers to align with changes in other sections.
-660 Filtration.	<ul style="list-style-type: none"> • Corrected table numbers to align with changes to other sections.
-686 Compliance requirements for unfiltered systems	<ul style="list-style-type: none"> • Corrected table numbers to align with changes to other sections.

WAC 246-290 Section Number and Title	Summary of Changes
-71004 Public notification mandatory language	<ul style="list-style-type: none"> Added a reference to the CFR for an exceedance of the secondary MCL for fluoride.
-71006 Consumer information New section title: Public notice for contaminants with a SAL and other unregulated contaminants	<ul style="list-style-type: none"> Revised public notice requirements to align with changes in section -315 based on the Tier designation under Table 9. Added public notice must conform to the requirements in sections -71001 through -71004 on the Tier designation under table 16. Added public notice timeframes for Tier 1 and Tier 2 designation of an SAL exceedance.
-72001 Purpose and applicability of the consumer confidence report requirements	<ul style="list-style-type: none"> Revised the term "detected" to align with the state detection reporting limits under chapter 246-390 WAC.
-72004 Report contents-Definitions	<ul style="list-style-type: none"> Adds definitions to be used for reporting content for SAL detections.
-72005 Report contents – Information on detected contaminants	<ul style="list-style-type: none"> Adds report content requirements for detected contaminants. Removes references to federal requirements no longer used.
-72012 Regulated contaminants	<ul style="list-style-type: none"> Technical corrections to align with SAL changes. Adds contaminants with a SAL to the table.

For detailed information about the draft changes, go to doh.wa.gov/ODWRulemaking.

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For more information visit our [PFAS Webpage](#) and [Timeline](#).



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