

STOPPING PFAS POLLUTION AT ITS SOURCE

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EXECUTIVE SUMMARY

Per- and polyfluoroalkyl substances (PFAS) - “forever chemicals” - threatens our health and our environment. Initial studies conducted by the Virginia Department of Health (VDH) and the Virginia Department of Environmental Quality (DEQ) have confirmed PFAS contamination in surface waters, groundwater, and drinking water throughout the state.¹² To address this pollution and public health problem, Virginia should use existing authority under the federal Clean Water Act to require disclosure and control of the discharge of these chemicals into our waters.

CHALLENGE

Commonly called “forever chemicals,” PFAS are a class of over 9,000³ synthetic chemicals that do not easily break down but instead build up and persist in our bodies, soil, water, and wildlife.⁴ PFAS, even at very low levels, can cause significant human health harms, including cancer, harm to fetal and infant development, and reduced immune function.^{5,6} The public can come into direct contact with PFAS via everyday items like waterproof and stain-resistant fabrics and materials, food packaging, and non-stick cookware.⁷

Communities are at risk of significant exposure to PFAS from concentrated streams of these chemicals released into our environment in firefighting foams, industrial wastewater discharges, landfills, and land-applied sewage sludge biosolids.⁸ Importantly, conventional water treatment systems do not remove PFAS from drinking water or wastewater and PFAS discharges can contaminate drinking water, surface water, soil, crops, and forage.⁹ Studies have found that members of low-income communities and communities of color are more likely to live within five miles of a PFAS-contaminated site and that these communities may be disproportionately exposed to PFAS in drinking water.^{10,11}

Unfortunately, Virginia does not require polluters to disclose or control these chemicals in their discharges or land-applied sewage sludge biosolids. This leaves downstream communities, private well owners, and farmers at risk or on the hook for costly cleanups. In Virginia, initial studies have found PFAS contamination in public drinking water supplies, private wells, near the Richmond International Airport, and near military bases.^{12,13} The full extent of PFAS contamination in Virginia is unknown due to limited funding available for testing and data management.

SOLUTION

Drinking water standards are an important component of protecting public health, but ultimately PFAS pollution must be stopped at its source. Using existing authority, the Commonwealth should identify and control pathways of PFAS pollution and put the responsibility on polluters—not communities—to clean up their waste. Specifically,

the federal Clean Water Act as applied through Virginia’s Pollution Discharge Elimination System (VPDES) authorizes the Commonwealth to both monitor for and restrict discharges of PFAS into surface waters.¹⁴ States like North Carolina,¹⁵ Michigan,¹⁶ and Colorado¹⁷ are already using such authority to require industries to limit their PFAS discharge and help stop PFAS pollution at its source.

POLICY RECOMMENDATIONS

Require industrial users to disclose and control PFAS released in their discharges through Virginia’s existing wastewater permit and industrial pretreatment programs.

Provide sufficient funding to DEQ to identify and eliminate potential pathways for PFAS contamination, which include wastewater discharges, land-applied sewage sludge biosolids, and landfill leachate, and to manage associated data.

Continue and expand DEQ and VDH sampling of PFAS in surface water, groundwater, and drinking water.

Establish drinking water standards and fish and game consumption standards for PFAS through VDH that are fully protective of public health

Pursue PFAS cleanup cost recovery opportunities through joint or independent legal action.