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Trump Administration moves to weaken standards for toxic 'forever chemicals' in drinking water

Here's what it means for Wisconsin:

A little more than a year after announcing its first ever drinking water standards for toxic PFAS chemicals, the Environmental Proection Agency (EPA) is reversing course, announcing it intends to rescind regulations for four key types of toxic PFAS compounds. Standards will be kept in place for just two of the chemicals, called PFOA and PFOS, which have already been largely phased out of production in the United States. But the timeline for water utilities to comply with those standards will be pushed back by two years.

"The EPA's original standards were based on health research that shows how dangerous these chemicals are for families and communities," says Clean Wisconsin Water Program Director Sara Walling. "No one wants more PFAS in their drinking water. There is no mandate to dismantle these protections, but that's what the Trump Administration is trying to do."

All six of the PFAS compounds have been found in Wisconsin. The Department of Natural Resources (DNR) has spent months working through our state's rulemaking process for both drinking water and groundwater to bring state protections for the chemicals in line with current federal standards. That work will likely continue even as the EPA seeks to roll back its own regulations, a process that could take years.

"Clean Wisconsin fully supports the DNR as it seeks to implement meaningful, healthbased standards for toxic PFAS in Wisconsin. This is an enormous priority for communities across our state," Walling says.

The EPA must work through its own federal rulemaking process to roll back the standards and will almost certainly face legal challenges. The Safe Drinking Water Act prohibits subsequent standards from being *less* protective than preceding ones (Section 1412(b)(9)).

In its announcement, the EPA also noted that some entities may be exempted from complying with PFAS standards and implementation timeline, but it offered no details on how many water utilities and other entities may be exempted or how eligibility for exemptions might work.

More background:

Last year, the EPA issued standards for six types of PFAS compounds in drinking water. The agency set a federal maximum contaminant level (MCL) of four parts per trillion (ppt) for PFOA and PFOS; 10 ppt for PFHxS, PFNA, and HFPO-DA (commonly known as GenX). It also set a <u>hazard index</u> of one (unitless) for mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS.

The recent <u>EPA announcement</u> notes that MCLs for PFOA and PFOS will remain, but the agency will extend its deadline for utilities to comply by two years from 2029 to 2031.

The EPA will rescind and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA, and the associated hazard index .

In Wisconsin, the drinking water MCL for PFOA and PFOS—individually or combined—has been set at 70 ppt since 2022. No other PFAS are currently regulated.