FINAL MCLs FOR PFOA/PFOS PUBLISHED WITH 5-YEAR COMPLIANCE SCHEDULE
April 2024

On April 26, 2024, EPA published final Maximum Contaminant Levels (MCLs) for PFOA and PFOS in drinking water. The MCLs for PFOA and PFOS will remain at 4 ppt, as "the lowest levels that are feasible for effective implementation." This is a significant and beneficial change in rationale from the proposed rule (4 ppt is the lowest quantitation level). EPA also tweaked its hazard index for four PFAS chemicals (GenX, PFHxS, PFNA, and PFBS) in a way that does not make the rule more stringent for any individual PFAS chemical or overall. In fact, we think it is somewhat less stringent than what was proposed. The tweak is two-fold.

- First, EPA adopted MCLs of 10 ppt for three of these PFAS chemicals (PFHxS, PFNA, HFPO-DA/GenX but not PFBS). However, that is NOT more stringent than the hazard index of 1.0 that EPA proposed. For example, under the 1.0 hazard index, a PFNA result of "10 ppt" would be over the "1.0" level (10 ppt/the 9 ppt health value for a result of "1.11"). Thus, an MCL of 10 for PFNA (as well as for HFPO-DA/GenX and PFHxS) are not more stringent than the proposed rule's hazard index for any of these four PFAS chemicals.

- Second, EPA changed the hazard index from "1.0" to "1". That is a significant change that is less stringent than the proposed rule because you should be able to round a result of up to 1.45 down to "1" (one significant figure to match the hazard index of "1"). Note that using standard methods, we round a 5 to the nearest even number. Thus, a hazard index result of 1.45 rounds to 1.4 and 1.4 rounds to "1".

In addition, the final rule allows **five years to comply**, two more than the three years in the proposed rule. EPA also updated its cost-benefit analysis such that annual costs are $1.5 billion and annual health benefits are at least $1.5 billion.