



California Association of Sanitation Agencies

PFAS Policy in Motion: Navigating Emerging Federal and State Requirements

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September 2026

Agenda

1

Overview

Purpose and goals for today

2

Federal Updates

Where we stand now

3

California Updates

The areas that matter most

4

Data & Research Updates

How you can get involved

5

Next Steps

Decisions and follow-up actions



01

Overview

Overview – Goals for Today

1

Provide an overview of PFAS policies that may impact your agency

2

Highlight low-effort ways your agency may support state research & analysis

3

Connect you to the right Clean Water subject matter experts

PFAS is Ubiquitous When Measuring Presence



PFAS exposure is a health concern



Detectable serum PFASs



Non-detect

Products Containing PFAS

- Baby products
- Sunscreens
- Water resistant clothing & apparel
- Household consumer products
- Paper products
- Home appliances
- Automotive products
- Medical technology
- Rechargeable batteries
- Car & floor waxes
- Plastic water bottles
- Toys
- Smart phones and tablets
- Cleaning products
- Fast-food wrappers, containers, & other grease-resistant paper
- Microwave popcorn bags
- Pizza boxes
- Candy wrappers
- Nonstick cookware
- Stain-resistant coatings for carpets or upholstery
- Wrinkle & stain resistant clothing
- Surfboard & snowboard wax

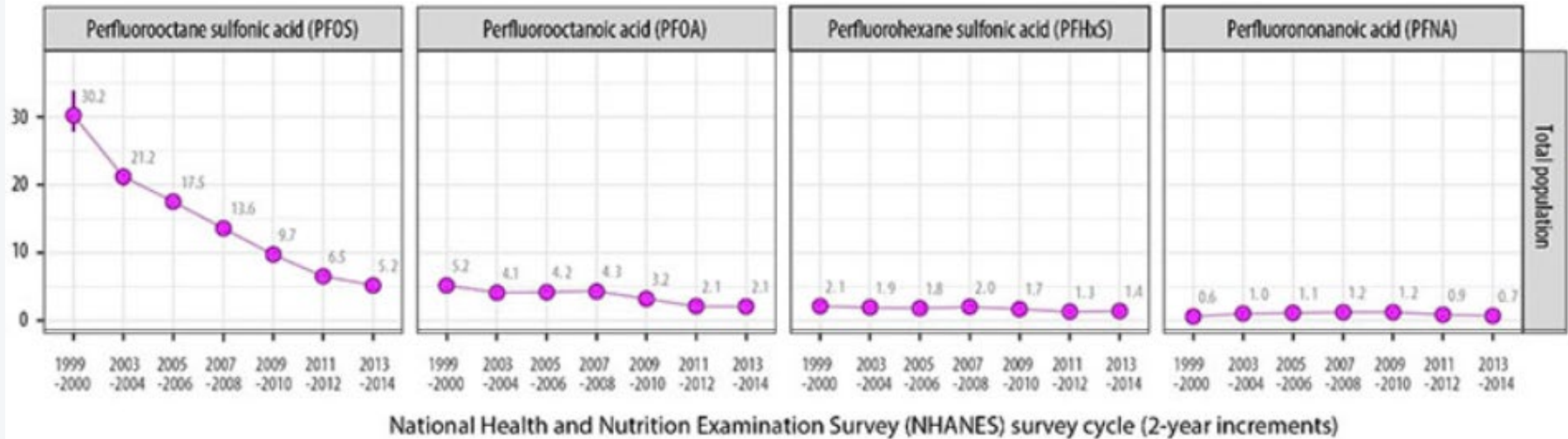
Median PFAS Concentrations Across Media

Comparison of Exposure Pathways (ppb)



Biomonitoring Data Shows Significant Decreases in Blood Serum after PFOS and PFOA were phased out

80% decrease for PFOS, 55% decrease in PFOA



Source Identification & Source Control

Pollution
Prevention



Remediation

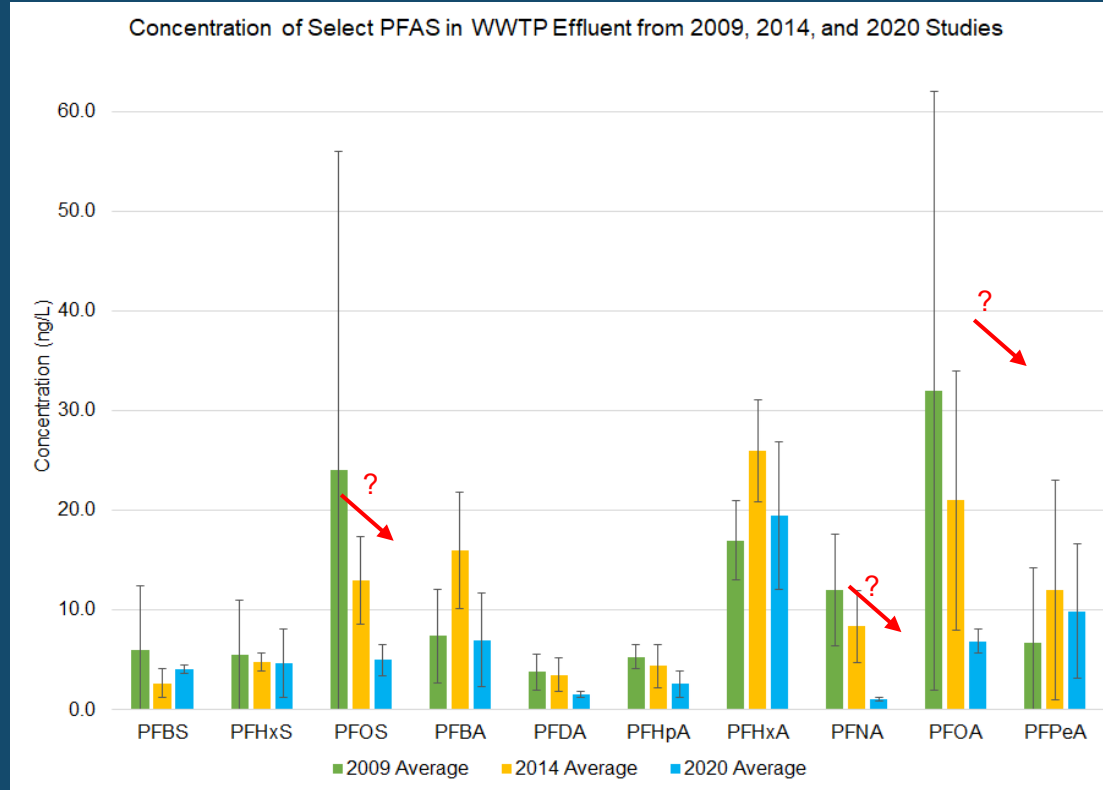
Societal Cost



Efficacy



Long Chain Compounds Decreased in Bay Area Effluent over 12 years after Commercial Phase Out





02

Federal Updates

Key Points – Federal Updates

1

Congressional Developments

2

Regulatory Developments

3

Legal Developments

Federal Updates – Congressional

Legislation

- NDAA (H.R. 8800 & S. 4784)
- PFAS Cleanup Act (H.R. 8632)
- No Toxics in Food Packaging (H.R. 9231)
- Interior, Environment, and Related Agencies Appropriations Act (H.R. 9171)
- CERCLA Exemption (*pending*)

Status

- NDAA – H.R passed, Senate vote deferred
- PFAS Cleanup Act - Stalled
- No Toxics in Food Packaging - Stalled
- IERAAA – no date announced for Floor debate and vote; Continuing Resolution expires 12/11
- CERCLA Exemption – new bill forthcoming

Federal Updates – Congressional

- PFAS Cleanup Act (H.R. 8632)(Introduced by Rep. Linda Sánchez (D-CA))
 - Requires PFAS manufacturers to help fund cleanup of PFAS contamination in drinking water systems by establishing a 45% tax on PFAS manufacturing, with revenues used to provide a tax credit of up to 25% for public and private water agencies conducting PFAS treatment and removal
- No Toxics in Food Packaging (H.R. 9231) (Senate companion bill S.4724)
 - Prohibit PFAS in food-contact materials by deeming PFAS unsafe under the Federal Food, Drug, and Cosmetic Act; applies to food packaging and food processing equipment beginning two years after enactment

Federal Updates – Congressional

- IERAAA (H.R. 9171)
 - Cuts EPA's budget to \$7.02 billion representing a \$1.8 billion (20%) reduction from the FY 2026 enacted levels; [Report language](#) includes several **PFAS directives**:
 - CERCLA PFAS Enforcement Discretion Policy - Reminds EPA it has not yet submitted a previously directed report on implementation status;
 - Agricultural PFAS Research - Provides \$9.5M for PFAS research in agricultural settings, including PFAS uptake in plants and animals, soil-to-groundwater modeling, and PFAS-tolerant crops;
 - Directs EPA to brief Congress within 90 days of enactment on this work
 - Water Research - Allocates \$3M of the Water Resources Research Act Program's \$16.5M for ongoing PFAS research

Federal Updates – Regulatory

U.S. EPA - Wastewater

- Biosolids Draft Guidance for Reducing Risk from PFOA and PFOS
- Interim PFAS Destruction and Disposal Guidance

U.S. EPA - Drinking Water

- National Primary Drinking Water Regulation for certain PFAS
- Rescission of the Hazard Index maximum contaminant limit (MCL) for certain PFAS

Federal Updates– Regulatory - Wastewater

USEPA Draft Guidance for Reducing Risk from PFOA and PFOS

Released June 29, 2026. Comment extension granted until **October 4, 2026**.

1

Acknowledge

- **Draft Risk Assessment** was flawed and **removed critical steps** necessary such as gauging current occurrence of PFOA and PFOS in national survey.
- Utilized **hypothetical scenarios** not reflective of majority of land application.
- Higher-risk scenario inputs to the model, **created confusion** around the use of 1ppb as the model concentration.
- USEPA **supports beneficial use of biosolids**.

2

Review & Recommendations

- **Presented current PFAS management options** states are taking that include tiered limits, monitoring requirements, and bans.
- **Included interim recommendations** for three different target audiences:
 - Bulk land appliers
 - General public
 - Wastewater treatment plants and other sewage sludge generators

3

Feedback

- **Seeking feedback:**
 - **Recommendations** for target audiences
 - **Add'l practices to reduce risk** from PFOA and PFOS in biosolids via all management options available
 - **Next steps** for the **Draft Risk Assessment**
 - **Policy options** for **land use decisions**

CASA Comment Letter

CASA is submitting a letter along with Expert Review from Researchers similar to Draft Biosolids Risk Assessment. Comments focus on:

1

Course Correct

Maximize this opportunity to course correct and re-engage on a proper Risk Assessment that includes a comprehensive review of PFAS distribution and exposure pathways.

2

All-of-Agency

Align this more comprehensive review alongside existing programs within USEPA to create a method in managing current and future compounds of concern.

3

Research-based

Utilize real-world, long-term research and conduct an extensive multi-pathway risk assessment for evaluating and setting limits to manage pollutants in biosolids.

4

Guidance for States

Reinforcing that states need clear guidance for PFAS management in water resource recovery. Without guidance, states create a cross-country patchwork approach.

CASA included lessons learned in California and how the state has met this challenge.

Federal Updates – Regulatory – Wastewater

U.S. EPA Interim Guidance on Destruction and Disposal

- **Need for Greater State Direction:** draft guidance provides states with insufficient clarity on implementation.
 - While EPA identifies shortcomings in the underlying biosolids risk assessment and acknowledges that land application may continue under certain circumstances, the guidance stops short of endorsing a clear regulatory path forward for states, such as adopting tiered management frameworks (e.g., Michigan model).
- **Reference Threshold:** EPA should establish a numeric reference threshold (e.g., 100 ppb) for identifying "industrially impacted" biosolids

Federal Updates – Regulatory – Drinking Water

- **National Primary Drinking Water Regulation for certain PFAS** to provide **additional implementation flexibility** for drinking water systems, and to **rescind the Hazard Index maximum contaminant limit (MCL)** for certain PFAS
 - **First proposed rule**: If finalized, EPA would retain existing federal drinking water standards for PFOA and PFOS while allowing eligible drinking water systems to apply for up to two additional years—through 2031—to achieve compliance; however, the extension would not be automatic, and systems would need to apply and satisfy criteria established by EPA in the final rule
 - **Second proposed rule**: If finalized, EPA would rescind the Hazard Index MCL and associated requirements for PFHxS, PFNA, HFPO-DA (GenX chemicals), and PFBS, citing stakeholder concerns regarding the prior rulemaking process under SDWA requirements
 - EPA emphasized a “polluter pays” approach to legacy PFAS contamination and stated that enforcement discretion alone cannot shield passive receivers from third-party CERCLA litigation risks, making a durable statutory fix from Congress necessary
 - Public hearing on July 7; public comments were due July 20

Federal PFAS Questions?

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Federal Biosolids PFAS Questions?

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Federal Updates – Legal

PFAS Drinking Water Settlements

- 3M Drinking Water Class Action
- Dupont Drinking Water Class Action

Beyond Drinking Water

- CERCLA Designation Implications

Federal Updates – Legal

3M Drinking Water Class Action Settlement

- ▶ \$10.3-\$12.5 billion fund for impacted public water systems
- ▶ Applies only to claims for drinking water; **does NOT apply to claims for contaminated wastewater, soil, etc.**
- ▶ Awards funds even if PFAS levels are below regulatory standards

Dupont Drinking Water Class Action Settlement

- ▶ \$1.185 billion fund for impacted public water systems
- ▶ Applies only to claims for drinking water; **does NOT apply to claims for contaminated wastewater, soil, etc.**
- ▶ Awards funds even if PFAS levels are below regulatory standards

Federal Updates – Legal Class Action Eligibility

- ▶ All community water systems are eligible unless they affirmatively “opted out” of these settlements, or serve fewer than 3,300 people **and** operate in a state that does not have its own PFAS testing requirements
- ▶ By not opting out of the settlements, your system has waived its right to sue these defendants in the future for PFAS impacts to drinking water – this is your only option to recover against them
- ▶ If you had a detection of PFAS in your public water system before **June 30, 2023**, you may have missed your opportunity



Federal Updates – Legal

Next Steps for Affected Water Systems

- ▶ Settlement participants:
 - ▶ Perform required testing
 - ▶ Collect documentation needed
 - ▶ Submit claims forms before the deadlines
 - ▶ Think strategically about expenditures eligible as “special needs”
- ▶ Systems that opted out can pursue litigation against 3M and DuPont to recover costs



Federal Updates – Legal – Beyond Drinking Water

PFAS CERCLA DESIGNATION: IMPLICATIONS

- ▶ CERCLA hazardous material designation creates liability for cleanup costs for anyone who generated, handled, or disposed of PFOA/PFOS – including effluent or sludge
- ▶ Wastewater systems face liability if PFAS from their sludge or effluent contaminates another's property/resources – even if the systems were unaware of the risks

Legal PFAS Questions?

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03

California Updates

Key Points – California Updates

1

State Legislative Developments

2

State Regulatory Developments

3

State Legal Developments

California Updates – Legislative

CASA Sponsored Legislation

- AB 682 (2025, Allen) – Product Bans
- AB 2247 (2022, Bloom) – Product Disclosure

Other PFAS Legislation

- AB 1603 (2026, Schultz) – PFAS in Pesticides Ban
- AB 1817 (2022, Ting) – PFAS in Food Packaging and Apparel Ban
- AB 2771 (Friedman, 2022) – PFAS in Cosmetics Ban

California Updates – Legislative – CASA Sponsored

- AB 682 (2025, Allen)
 - Passed both houses of the legislature but was vetoed by the Governor.
 - Would have banned PFAS in cookware, household cleaning products, dental floss, toys, ski wax, and food packaging.
- AB 2247 (2022, Bloom)
 - Passed both houses of the legislature but was vetoed by the Governor.
 - Would have required disclosure of PFAS in products on an interstate registry.
 - Minnesota enacted a similar law, and initial reports were due Sept. 15
 - <https://www.pca.state.mn.us/air-water-land-climate/reporting-pfas-in-products>

California Updates – Legislative – Other Legislation

- AB 1603 (2026, Schultz)
 - Did not pass the second house in the legislature
 - Would have banned PFAS in pesticides, and was amended further in the process
- AB 1817 (2022, Ting)
 - Signed by the Governor, Binding Law
 - Bans PFAS in food packaging and apparel/clothing, effective date: January 1, 2025
- AB 2771 (Friedman, 2022)
 - Signed by the Governor, Binding Law
 - Bans PFAS in cosmetics, effective date: January 1, 2025

California Legislative PFAS Questions?

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California Updates – Regulatory

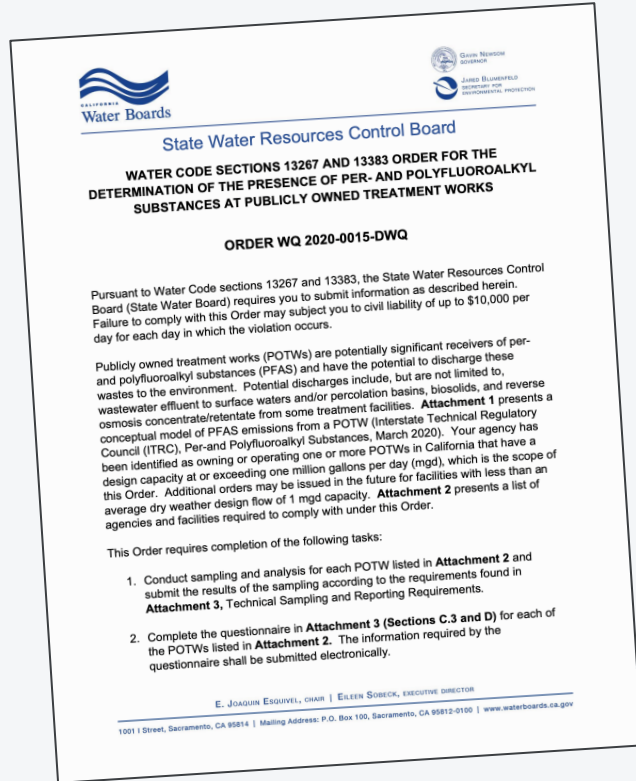
SWRCB

- 2020 Statewide Investigative Order
- 2027 Statewide PFAS Strategy

OEHHA & Drinking Water

- PHG – PFOA (0.007 PPT, PFOS (1 PPT), PFHxS (in development
- MCL – PFOA & PFOS forthcoming, 2026 Priority
- Drinking Water RLs and NLs (see slide

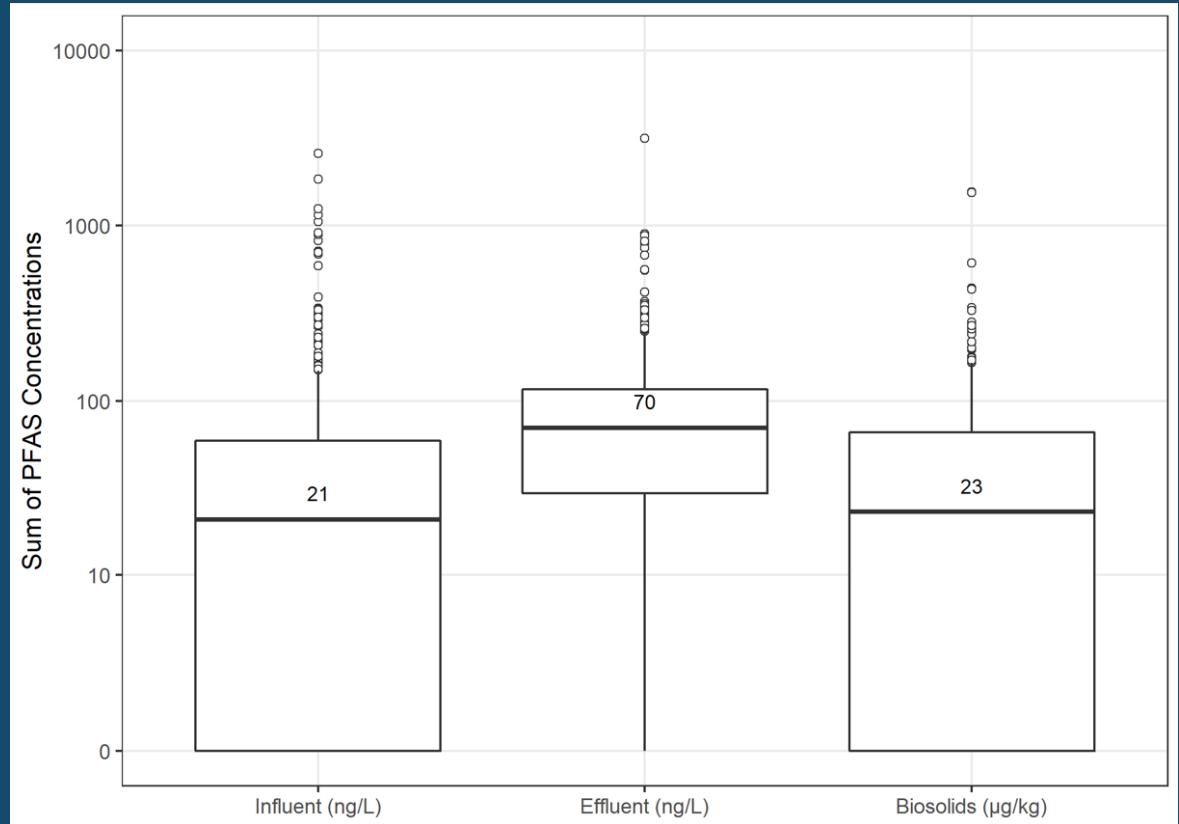
California Updates – Regulatory – 2020 SWRCB Investigation



- Required four quarters of sampling using non-approved methods between 2020 and 2021, plus responses on questionnaire
- Summit Partners hosted 4 webinars on sampling, reporting, preliminary results, and the final report
- CASA engaged CDM Smith for support on data analysis
- SWRCB invited CASA and CDM Smith to present at the 4/5/23 SWRCB meeting on our efforts

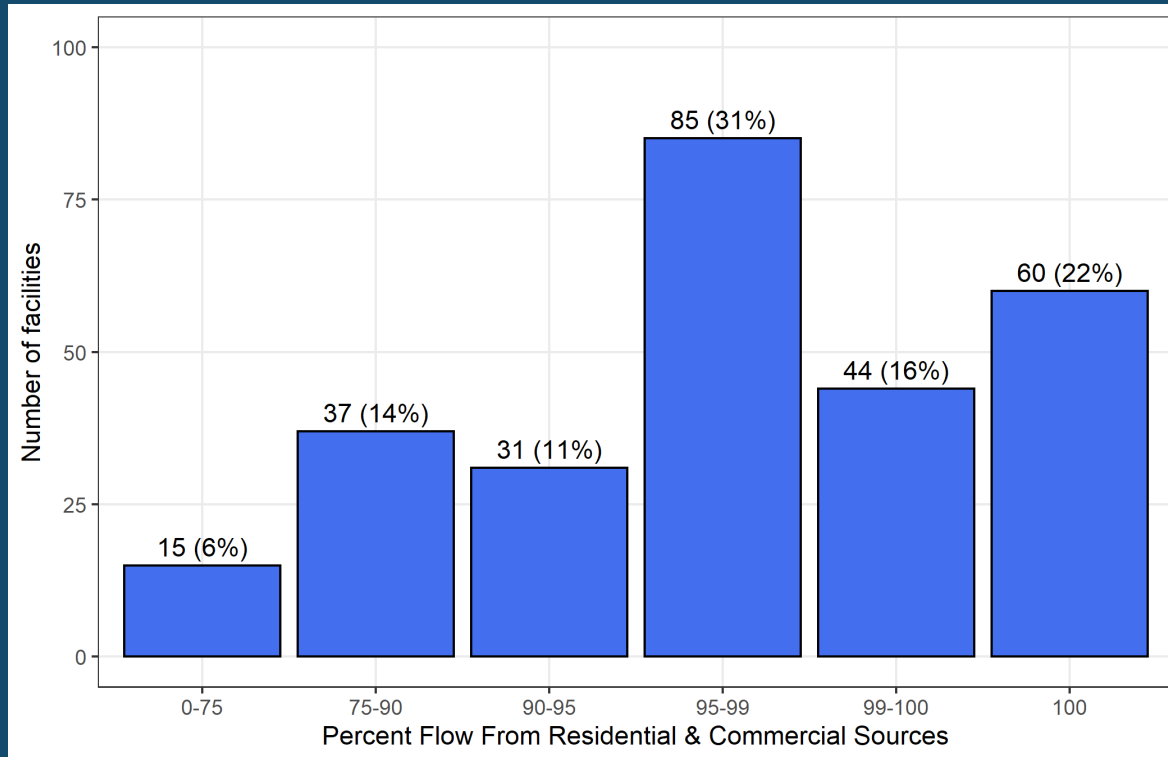
SWRCB Investigative Order POTW Median Concentrations

- 21 ppt median in influent
- 70 ppt median in effluent
- 23 ppb median in biosolids
- Precursor transformation attributed to ▲ during treatment process



Data was collected using non-US EPA approved methods and is Provisional.

POTWs Distribution by Residential & Commercial Contribution

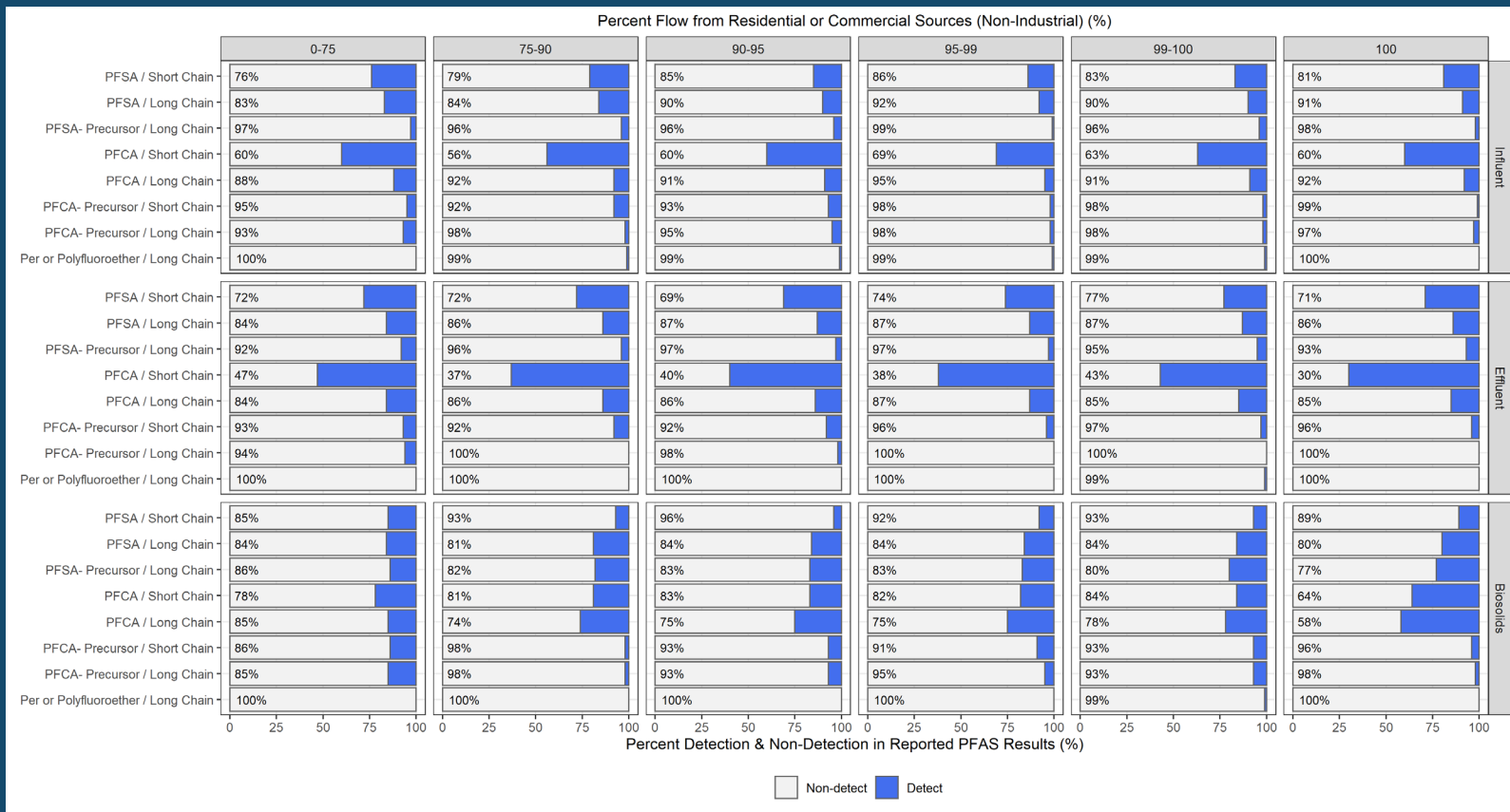


Total of 272 facilities

80% of facilities have < 10% industrial contribution

70% of facilities have < 5% industrial contribution

Wastestream PFAS Profile by Residential & Commercial Contribution



In 2026 SWRCB approached Summit Partners seeking to answer questions related to ongoing PFAS work

PFAS Source Identification

- Which industries discharge the highest concentrations into the collection system compared to residential wastewater?
- What products have the highest PFAS concentrations in wastewater discharges when manufactured or used?
- How widespread is the use of PFAS products or manufacturing processes that contribute to high concentrations in wastewater across the state?
- How can one determine the key differences between residential, commercial, and industrial wastewater contaminants?

Testing Approach & Data Interpretation

- What is an effective and cost-efficient method for comprehensive PFAS testing at POTWs?
- Are there types or classes of PFAS that can be linked to specific industries, acting like a fingerprint?
- What concentration levels of PFAS in wastewater are considered concerning or actionable?
- Does industrial discharge contribute more PFAS than residential sources?
- What are some effective and cost-efficient practices to reduce elevated PFAS in industrial discharges

Proposed Outcomes

- Summary of industrial processes or products contributing to high PFAS levels in wastewater.
- Potential PFAS wastewater fingerprints associated with specific industrial processes.
- Potential source control/minimization alternatives.
- Feasibility of treatment/pre-treatment technologies and general costs.
- Areas of needed additional research/studies.

OEHHA Notification and Response Levels

PFAS Analyte	Notification Level (NL)	Response Level (RL)
PFOA	4.0 ppt	10 ppt
PFOS	4.0 ppt	40 ppt
PFHxS	3.0 ppt	10 ppt
PFBS	500 ppt	5,000 ppt
PFHxA	1,000 ppt	10,000 ppt

California PFAS Questions?

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California Updates – Legal

Water

- Local agencies opting into 3M and Dupont Class Actions

Beyond Water

- Driscoll's Farms

California Updates – Legal

Washington v. Driscoll's, Inc. (July 8, 2026)

- Class action lawsuit the company has failed to disclose the presence, risk of, and/or use of persistent fluorinated pesticide compounds linked to [forever chemicals](#) and [PFAS-related compounds](#).
- Read more: <https://www.classaction.org/news/driscolls-lawsuit-alleges-company-failed-to-disclose-presence-of-forever-chemicals-in-strawberries>
- Complaint: https://www.classaction.org/media/washington-v-driscolls-inc_1.pdf



04

Data & Research Updates

Key Points – Data & Research Updates

1

SWRCB 2027 Statewide PFAS Strategy

2

September-October 2026 Survey

3

Next Steps Winter 2026/27

SWRCB 2027 Statewide PFAS Strategy

Analysis

- Collect available data
- Normalize data
- Analyze

Forensics

- Use chain-length and molecular geometry to fingerprint contributors
- Apply forensics to existing data
- Identify likely major industrial contributors

California Updates – Regulatory – 2027 Statewide Strategy



The California clean water community is working collaboratively with the California State Water Resources Control Board (SWRCB), the San Francisco Estuary Institute, and CDM Smith, to better understand statewide PFAS occurrence, loading, and potential sources to publicly owned treatment works (POTWs). To support these efforts, we have created this brief questionnaire to inventory local PFAS-related information. Providing responses will enable the CDM Smith team to:

- Estimate the level of effort required for data compilation and evaluation activities
- Understand the extent of PFAS monitoring since the SWRCB's 2020 Investigation
- Identify the types of PFAS data that are available and how they are maintained
- Evaluate the availability of supporting operational, flow, and industrial user information

For this survey, **utilities are not being asked to sample, collect, or submit PFAS analytical data.** Information provided through this questionnaire will be used solely for project planning purposes and to better understand the availability, format, and characteristics of PFAS-related information across California wastewater utilities.

All utility names and identities, as well as identities of industrial stakeholders providing data, will be anonymized. However, categories of industrial pretreatment programs stakeholders will be maintained to gain insight into industry-wide trends.

To complete the questionnaire, you may need access to information related to:

- Treatment plant flows and operational data
- Industrial user or source control program information
- PFAS monitoring, analytical results, and data management / storage practices

Please note that POTWs with multiple treatment plants may elect to have each plant fill out their own form.

CDM
Smith

- Survey will be distributed this week
- No new data being requested, only informational questions to assess the level of effort for analysis of existing data
- Agencies have 30 days to respond; results anonymized
- This information will support the phased approach

■ Phased approach:

Analyze



Forensics

California Updates – Regulatory – 2027 Statewide Strategy



Phase 1: Analyze Existing Data – Enhanced Visualization Tool

- Leverage GeoTracker to understand PFAS source characterization
- Collect all available statewide PFAS data
- Identify gaps in data (analytical, flow, etc.)
- Normalize existing datasets across POTW, landfill, airport AFFF, NPDES, Site Cleanup, and DTSC programs
- Add load-based metrics (mass/day), trend analysis, source-category identification
- Develop a PFAS Data Normalization Guidance document for consistent QA/QC
- **Michigan and Massachusetts lesson:** centralized, professionally interpreted data is what makes data useful

California Updates – Regulatory – 2027 Statewide Strategy

Massachusetts NPDES Sampling Data Analysis

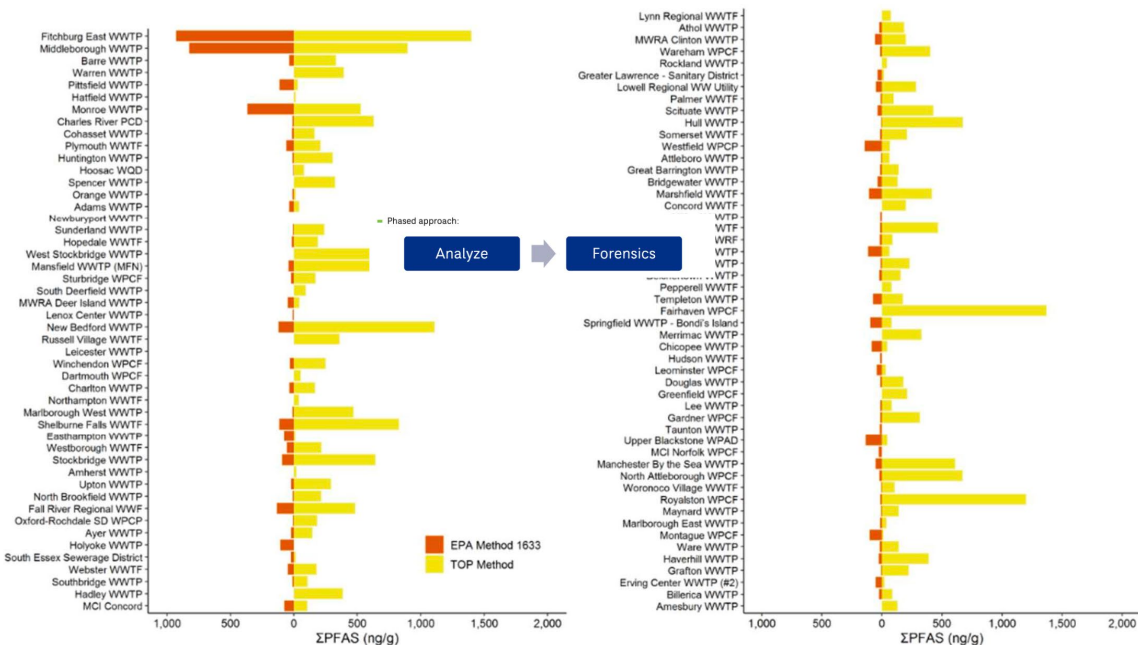


FIGURE 4-6
Total PFAS Concentrations for EPA Method 1633 and TOP (Study Dry Mass Sludge Data Round 1)

California Updates – Regulatory – 2027 Statewide Strategy



Phase 2: PFAS Forensics and Fingerprinting

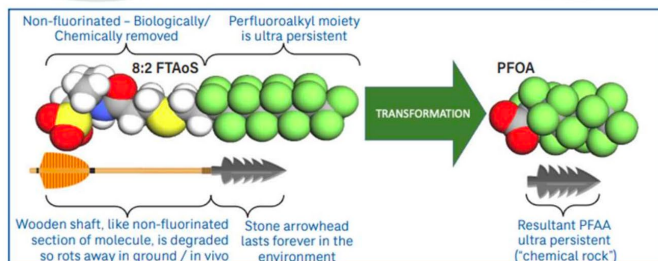
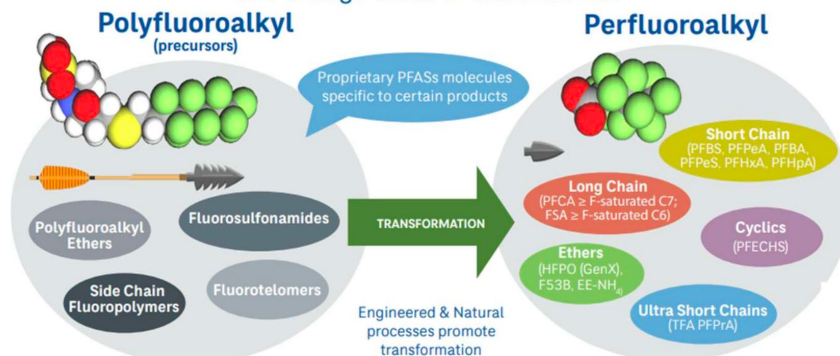


- Use chain-length and molecular-geometry to fingerprint contributors
- Apply forensics to existing data – no new sampling required
 - Compare influent vs. effluent profiles within and across POTWs
 - Benchmark POTWs against each other and against known source signatures
 - Match biosolids profiles to AFFF, landfill leachate, and industrial sources
- Regulatory value:
 - Identifies likely major contributors and avoids blanket POTW treatment mandates
 - Prioritizes industrial pretreatment investigations and sector-based source control
 - Builds technical defensibility for enforcement
- **Michigan model:** data first, then IPP action, then iterative biosolids thresholds

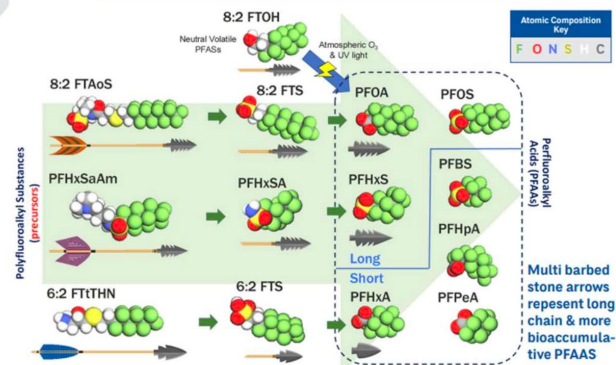
California Updates – Regulatory – 2027 Statewide Strategy

Factsheet for EPA PFASs Forensics Technical Summary

Poly- & Perfluoroalkyl Substances (PFASs)
are a large class of **Xenobiotics**



https://www.epa.gov/system/files/documents/2025-06/rpm-bulletin-pfas-environmental-indicators-4-14-2025_508-compliant.pdf





05

Next Steps

Next Steps

1

Participate in CASA & CVCWA's PFAS Data Questionnaire

2

Connect with Clean Water PFAS Experts on Local Questions

3

Sign-Up for CVCWA's Newsletter to Receive Updates on These Efforts

Recap – Goals for Today

1

Provide an overview of PFAS policies that may impact your agency

2

Highlight low-effort ways your agency may support state research & analysis

3

Connect you to the right Clean Water subject matter experts



Thank You

Questions, feedback, or interested in getting involved? We'd love to hear from you.

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