

PFAS Subcommittee Meeting Minutes

8/11/25

Attendees:

Logsdon, Jackie (EEC)
Carwell, Michael M (EEC)
Caywood, Sarah (EEC)
Marshall Carrier
Mills, Todd W
Paul Montgomery
Ralph Young (Unverified)
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Lipps, Matt M (EEC)
Osterman, Stefanie C (EEC)
Thompson, Josh
Neal, Russell S (KIA)
Traylor, Madeline E (EEC)
Booth, Dale M (EEC)
Amy Stoffer
Givan, Ethan (EEC)
Arnold, Melanie (EEC)
Heather Davis
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Maggie M. Neal
Arianna Lageman
Bates, Robert
Russ Evans
NMWD Supervisor
Stewart, Kevin R (EEC)
McLeary, Shannon M (EEC)
Brett Morehouse
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Matt Thompson
Doug Kimbler
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Eric Zhu
Peter Goodmann
Bevins, James (EEC)
Bascombe, Marlon (EEC)
Cooper, Ashley

Logsdon, Jackie (EEC): Good afternoon, everyone. So we'll go ahead and get started. I've got the agenda up here. There's really not a whole lot to discuss today. I still don't think that we'll need the full time that's been allotted, but I did want to make sure that we had time for any questions or discussion that anybody might be interested in. So some of you have already seen this, and a lot of you have probably actually already heard, but I did want to go through just a quick update with the PFAS rule. On May 14th, the EPA said that they are intending to make some changes to the rule that was finalized last year. The keys being that they're planning to keep the MCL of 4.0 parts per trillion for PFOA and the PFOS and that they are intending to resend the MCLs for PFHxS, PFNA and HFPO-DA, which is the Gen. X, and then also do away with the Hazard index, which also includes the PFBS. So that's their intention. They won't tell us anything final, of course, until we see the new proposed rule. They do intend to extend the compliance timeline to 2031. Right now, it's 2029. And they have also mentioned possibly extending that compliance deadline even further. For small systems, there's some question about how that would work, because it would be a federal exemption and by 2031, states will have primacy. So, I'm not exactly sure how that would look, and EPA hasn't really been able to answer our questions. They also intend to initiate an enhanced outreach to small systems. They're calling it PFAS OUTreach initiative. They haven't really released any information on that. I think that in Kentucky, we do a pretty good job with the outreach that we're providing right now to the systems that are experiencing issues with PFAS. So, I'm not exactly sure what that would look like for us, but it is something that they've mentioned.

The proposed rule is supposed to be out this fall, with the final rule spring of 2026. So, the way I see this right now is we're back into that space of not being able to give a lot of concrete answers to questions that people have. They didn't make any mention of making changes to the initial monitoring requirements. So, at a state level, we're just proceeding forward. Business as usual, like we have been doing and making sure that all of the systems are meeting the initial monitoring requirements. Division of Water has been doing sampling for some of the small systems and that is finishing up. We've got a few more that need to be finished up here at the end of the year, but with UCMR5 and with the Division of Water sampling, that should just about get everybody meeting the initial monitoring requirements. So that's where we are at, like I said, we're just continuing on what we were doing. We are working on getting communication out to water systems on their initial monitoring requirement status. And starting with the systems that still have some data that need to be collected this year. So now that we're in August, the systems that still need to sample for the fourth quarter would be getting communication next and then after that we will be notifying systems of their status that the initial monitoring is completed. I'm going to stop sharing and open it up to any questions or discussions.

Ralph Young: Ralph Young, Paducah, Kentucky. I wondered what the criteria was for a small system.

Logsdon, Jackie (EEC): So small system usually is less than 10,000 with the framework of the rule for initial monitoring, they have the groundwater systems broken down by large and small, and that break point is 10,000 for those. It's based on population, so 10,000 in population, yes, yeah.

Ralph Young: Whole population. OK, got it. Thank you.

Logsdon, Jackie (EEC): You're welcome. Amy?

Amy Stoffer: Just a reminder for those that might be interested in learning more about PFAS. AWWA does have some information available. They do have various resources. A PFAS toolkit you want to see the comments that AWWA submitted to the Midwest on PFAS, June 21st, 2025. Those are available as

well. And there is a webinar coming up this Wednesday. August the 13th. That looks like since it was listed in mountain time, it looks like it's 9:00 to 10:30 Eastern Standard Time, 11:00 to 12:30 mountain time. I think there's a 2-hour difference but just wanted to make sure everybody is aware that there is various information out there if they want to go look for it on AWWA's website. It's all I had.

Logsdon, Jackie (EEC): Thank you. Russ?

Russ Evans: I just had a question. You know, listen in a little bit on the EPA phone call with a National Drinking Water Council Advisory Council, any change? Or they will try and make the rules that be hit with heavy resistance based on that phone call, and that this could get tied up for years in court, could it?

Logsdon, Jackie (EEC): Potentially, yeah.

Peter Goodman: That's the National Drinking Water Advisory Council. Well, like they're unlikely litigators. But Russ, I'm depending on what they come out with. Yeah, I just put an update in the chat (see below) about where that briefing schedule stands with the US DC Circuit Court. EPA is going to have to file something by September 11th, kind of outlining what their plan is. And the courts, I mean the PFOA PFOS is still on the table. The court could remand that to EPA to say we don't think you followed the Administrative Procedures Act as claimed by AWWA. So, EPA can say we're going to hold fast on that. It's unlikely that they'll find fault with the science because courts don't really dig that deep. But it's possible they might find fault with their calculus on cost benefit. But we'll see.

“U.S. EPA will be required to provide an update on the agency’s position on issues raised in AMWA and AWWA’s litigation [1] challenging national primary drinking water regulations for PFAS by no later than September 10, parties to the case proposed to the U.S. Court of Appeals for the District of Columbia in an August 1 motion to govern filing [2]. This could provide the clearest details yet on how the agency plans to implement its May 14 announcement to revisit portions of the PFAS rule. The August 1 filing came just days after the Court granted [4] EPA’s request to end a longstanding abeyance that had put the case on hold, as the Trump Administration reviewed the facts and worked to develop its position on the matter. In the meantime, in May the Administration announced that it would provide public water systems with two additional years to comply with new drinking water standards for PFOA and PFOS, and would rescind and reconsider the standards for several “Hazard Index” PFAS. Since then, however, the Administration has been mum on how precisely it plans to implement these changes, and how they would impact the agency’s defense of the Biden-era PFAS drinking water standards in court. As proposed in the joint motion, EPA would have until September 10 to “file with the Court either a motion or letter clarifying their position in litigation.” If filed in the form of a motion, AMWA and other parties would have an opportunity to file their own response briefs; if EPA files a letter, then the parties would be entitled to file their own response letters of similar length. Parties would also have until September 17 to file a proposed briefing schedule with the Court to outline the timing of subsequent arguments in the case. Given that EPA has announced plans to rescind and reconsider the drinking water standards for the Hazard Index PFAS, the agency could, in its September 10 filing, formally drop its legal defense of those standards and ask the Court to declare them void. This could help avoid legal barriers to EPA’s reconsideration of the standards, and it could involve EPA conceding the arguments raised in AMWA and AWWA’s litigation. However, in any event, the litigation is expected to continue in

relation to the drinking water standards for PFOA and PFOS, as the agency has pledged to continue to move them toward implementation, albeit on a longer compliance schedule.”

Logsdon, Jackie (EEC): Thank you, Pete. Anyone have anything else? Ariana, you're usually have something to say. Where are you?

Arianna Lageman: I normally do have things to say right, but I think you already summarized it, just wait and see holding pattern. So, I'm just saving my breath until we have something concrete to talk about.

Logsdon, Jackie (EEC): Yeah. Well, and that's what I was going to propose today is waiting until we until we see that proposed rule before we reconvene. I don't really know that there's a whole lot to talk about. Go ahead, Pete.

Peter Goodman: Yeah, I would maybe suggest that we see what they fought, what the agency files in September, if they file anything at all. But they're going to be required by the court to file something by the 11th. So it that might be useful, we can make a decision at that time.

Logsdon, Jackie (EEC): Yes, Ralph, go ahead.

Ralph Young: We have any idea what our compliance status might be with what is it four parts per trillion? Is that that the number we're talking about today?

Logsdon, Jackie (EEC): It's less than 10% of the systems in the state are looking at. Potential MCL exceedances. And that's just potential. So even less than that. But that's about the that's a rough estimate, and that's pretty consistent with the numbers nationwide as well.

Ralph Young: I just kind of thought the Ohio River was like the worst of the worst, but I don't know.

Peter Goodman: Oh no, it's not. No. The Ohio River really been looking at it since 2012. And I got a lot of data, if anybody wants to see it. But we've seen declining levels of PFOA PFOS. Really, we're not seeing any detections of PFOS hardly at all anymore, and only occasional excursions of PFOA above the four. So, we have the occasional Gen. X. that we we've correlated to the Chemours facility in Washington County, West Virginia. We're not saying it's causation; we just correlated it very strongly with their discharge reporting data under NPDS permit. And, if they don't get their act together, that's sort of got some existential compliance issues where we'd be facing some existential compliance issues at those the levels that they occasionally discharge. So, the river's not horrible, but it's, you know, there's some there and historically.

Ralph Young: Right.

Peter Goodman: Is that perhaps we could put on the next agenda to talk about residuals characterization because people are going to see this in their residuals, and they're going to have to dispose of those residuals. And I'm not talking about specific treatment for PFAS, I'm just talking about filtrate and Coag block residuals, things like that. We've done some characterization of that of both in the currents under 1633. I think that's the method 1633. And we're seeing a fair amount of it, and Commissioner Hatton and I had discussed something recently about the occurrence that they're seeing sort of in ambient conditions, looking at brownfields, potential brownfield sites. And those numbers aren't high in in the residuals or in these background numbers, but they're significantly above the risk screening levels under the Superfund, so that's something we have to pay attention to in, in a shameless

plug. I will say that Connor Murray at Hazen in Denver and I are proposing to the Water Research Foundation, a collaborative research project. We have about seven or eight other utilities including Cincinnati, where we're going in and we're going to go in and do various approaches to characterization of treatment residuals. Just normal treatment residuals to try to get a better handle on that. If anybody's interested in seeing a prospectus on that, just e-mail me or whatever and I would be happy to send it to you.

Logsdon, Jackie (EEC): Would you be interested in in doing a presentation for this group?

Peter Goodman: Yeah, sure I could.

Logsdon, Jackie (EEC): OK, I'll. I'll get with you before the next meeting, and we can put you on the agenda for that. I think that would be helpful.

Peter Goodman: Sure. Yeah, but we are going to submit that application in September. So, if anybody wants the prospectus, we we submitted an idea and we were invited to submit a full application. Actually, kind of encouraged because I think the agencies are realizing we they need some more of this data going forward. So, anybody interested? I don't mind sharing it, to us it's kind of a pay for pay to play thing, but the more people you have, the less you pay so, I think we committed \$20,000 as a little water. I know other utilities are similar or significantly less than that and then WRF mat matches that money. The match ratio I'm not sure of, but I think it's greater than one to one.

Logsdon, Jackie (EEC): Thanks, Pete. Robert?

Bates, Robert: Yeah, considering the fact that any of your monitoring results are just indicative of a moment in time. Has there been any discussion about monitoring results expiring and you must do more as we get closer to the compliance date?

Logsdon, Jackie (EEC): The data was generated after January 1st, 2019. I believe it can be used to meet the initial monitoring requirements.

Bates, Robert: OK, after 2019.

Peter Goodman: Unless they change it, then the rule it could change in the rule.

Logsdon, Jackie (EEC): It could, yeah. Well, does anyone have anything else? OK. I'll go ahead and call it, and I appreciate everyone's time. We'll just be watching for some updates and then we'll schedule something in the future when we know more.