

Virginia PFAS Occurrence & Monitoring Subgroup
Virginia Department of Health Office of Drinking Water
March 4, 2021, 3 – 4 pm
Virtual Meeting by WebEx

1. Call to Order
Bob Edelman with the Office of Drinking Water called the meeting to order at 3:00 p.m. The meeting was virtual via WebEx. Refer to the PowerPoint presentation along with these minutes.
2. Attendance
Attendees entered their name and affiliation into the chat box.

Members

Jamie Hedges (Fairfax Water)
Henry Bryndza (backup for Steve Risotto, ACC)
Erin Reilly (James River Association) (back up for Anna Kilius)
Michael McEvoy (Western Virginia Water Authority)
Jessica Edwards-Brandt (Loudoun water)
Jack Hinshelwood (VDH ODW)
Tony Singh (VDH ODW)

VDH ODW

Nelson Daniel
Kris Latino

Guests

Erik Rosenfeldt (Hazen and Sawyer)
Ellen Egen (AquaLaw)
Amanda Waters (AquaLaw)
Bailey Davis (DCLS)
Paul Nyffeler (Chem Law)
John Aulbach (Aqua Virginia)
Scott Powers (Fairfax Water)
Tyla Matteson (Citizen, Chesterfield County)
Jacqueline DiFulvio (ODU)
Jamie Brunkow (James River Association)
Anna Jeng (ODU)

3. Meeting Overview – Review Agenda
Bob Edelman reviewed the agenda. No changes to the agenda were proposed.
4. Approve minutes from the February 4, 2021 subgroup meeting
Bob Edelman asked if there were any changes or corrections to the last meeting minutes. No changes were proposed and the Subgroup approved the minutes.

5. Sampling Plan – Follow up from Virginia PFAS Workgroup meeting as necessary

The subgroup discussed:

- Concerns about data handling, and
- Suggestions for data handling.

Bob Edelman explained ODW's current plan for handling data. The waterworks will have the opportunity to provide an email address to the laboratory on the chain of custody. The laboratory will email the analytical results to ODW and the waterworks at the same time, so the waterworks and ODW will have the same information. ODW will maintain a database separate from our SDWIS/State database with the PFAS sample results. The results will not be visible through Drinking Water Watch on ODW's website. The results will be subject to Freedom of Information Act (FOIA) requests since they are records.

Groups concerns about data handling and suggestions:

A member thanked ODW for adding the opportunity for the waterworks to receive the results directly from the laboratory via email. Is preliminary data subject to FOIA? When is FOIA applicable? FOIA applies to documents. If ODW has draft data it would be in a document and subject to FOIA. The member is worried that some of this data might not be correct. The team should give thought to when and how data is released, to make sure the data is correct, there is no lab error. ODW will have a QA/QC process in place and the sample data will go through this process. The field blank samples will be part of the QA/QC process. Even after QA/QC, we can have a system to review the data. We will work on the process, and what it should consider. We need to develop messaging to go with the data, to explain what it means so people can understand. In the kickoff meeting, we proposed a subgroup on public education and community outreach.

A member commented that under FOIA you have 5 days to respond. It would be helpful to the utilities that sampled that if VDH gets a FOIA request for the PFAS data, to notify the utilities before sharing the documents, so they have time to implement their communication plan.

A member pointed out that most of the waterworks that are being sampled are not in the subgroup. Are we sharing the results with the participating utilities? The water system and VDH will receive the results from the laboratory at the same time. The QA/QC process we are envisioning will happen after the laboratory issues the report. When the laboratory issues reports as final, they have completed their QA/QC, and the waterworks and ODW will receive a copy. VDH intends to audit the work done by laboratory. Pennsylvania had similar concerns with laboratory QA/QC. Tony and Bob can share the Pennsylvania's documents on how they completed the QA/QC.

A guest asked does FOIA have any specific requirements that they need to follow related to data and sharing with the public? Nelson responded that FOIA speaks to records and data. We are not required to release anything that does not exist. He will look at language to confirm if there are specific requirements related to data. Bob expressed the opinion that there is nothing special about sample results that shield them from FOIA, preliminary or final. ODW will investigate this further and get back to the subgroup.

A member questioned using Method 537.1 for confirmation samples. ODW clarified that the plan is to use Method 533 for confirmation samples.

6. Laboratory proposals – briefing

Refer to slide 6. ODW intends to collect Field Reagent Blanks with each sample.

7. Next steps to conducting sampling

See slide 7.

8. Data handling

The Laboratory will email analytical reports to the waterworks and ODW. The laboratory will also send a database file with results to ODW. ODW will place the results in a database that will be searchable and will allow ODW to generate reports. The results will not be in SDWIS and Drinking water watch. ODW has not decided how and if PFAS sample data will be made available on our website.

A member asked about contributed results and the plan to solicit these results, and if it is limited to the target waterworks? Part of ODW's plan is to ask waterworks for PFAS results. ODW intends to make a request, but ODW has not yet worked out the details. ODW may use this as opportunity to share information about the PFAS sampling program.

A guest asked about the level of QA/QC documentation. ODW asked for Level 2 QA/QC documentation, which is about a half dozen pages. Will ODW accept qualified data for a quality control failure? Pennsylvania had a problem with data qualification due to quality control problems. ODW intends to review or audit the laboratory's data, including quality control and data qualifiers.

A member asked why the result will not be in ODW's SDWIS database and not available through Drinking Water Watch. As things stand today, SDWIS is not configured to contain these results because the analytes in Method 533 are not in SDWIS. SDWIS contains and tracks regulatory sample results. In future, when and if Virginia adopts a PFAS maximum contaminant level (MCL), ODW will use the SDWIS database to contain PFAS data. Drinking Water Watch pulls its data from SDWIS.

A member asked if other states with PFAS MCLs are using SDWIS? We do not know. Some states could possibly have added analytes to SDWIS. Michigan and California have searchable databases online. ODW does not have the resources to develop a new online database. When the General Assembly provides funding, we can develop a new online database.

ODW could possibly use an Excel spreadsheet and post a PDF online as a quick and easy solution to providing data online. Tony raised the possibility of publishing the data using a GIS map on our website.

9. What happens when PFAS is detected? See Slide 9

ODW wants flexibility due to many possible scenarios. ODW will compare the PFOA plus PFOS concentrations to the EPA Health Advisory of 70 ppt. If the concentration is greater than 70 ppt, ODW may request a confirmation sample. For other PFAS, ODW may compare results to other available health-based levels to decide whether to request a confirmation sample.

ODW intends to pay for the confirmation samples, within budgetary constraints. Waterworks can take confirmation samples independent of this sampling program.

ODW will average a confirmation samples with the original sample and the average is compared against the health advisory levels. If the average is over the health advisory level of 70 ppt, ODW will work with the affected waterworks to take corrective action, which means reducing the PFOA + PFOS levels to less than the health advisory levels.

For source water from intakes, if the sum of PFOA and PFAS is over the health advisory level of 70 ppt, ODW will request a sample of the waterworks' finished water to see the PFAS concentration in water that is going to consumers for use.

A member asked if the waterworks can use ODW's lab and pricing for confirmation samples. He commented that the industry would rather not pay for confirmation samples. The confirmation samples under this sampling program would be paid for by ODW. ODW is finalizing the lab selection and we will ask the laboratory if waterworks could contract with ODW's lab using ODW's pricing.

ODW envisions that only when a waterworks must take corrective actions would ODW require the waterworks to take and pay for PFAS samples.

The group discussed that corrective actions should consider the source of the contamination. Waterworks do not necessarily have control over the sources of contamination. A recommendation is to make an attempt to identify the source and investigate if the source can be remediated. Immediately throwing on the responsibility on waterworks might not be the only step. If PFAS is in the source water, it raises more questions; there may be other exposures, such as impacts to other waterworks using the same source water. There is another subgroup working on treatability and related recommendations.

Will there be any state funding for the corrective action that a waterworks or treatment plant is required to take as a result of PFAS contamination in source water? ODW will look into this and get back to the subgroup.

ODW will take an average of the original sample and the confirmation sample because this is a standard practice in the drinking water program.

A member asked about the six compounds specified in HB586, wondering why all of these do not trigger corrective actions. EPA has issued health advisory for PFOA plus PFOS. They are not MCLs; however but the experiences of other states indicate that EPA expects the state drinking water programs to enforce or encourage the water systems to work to health advisory.

The health advisory has become a defacto expectation of the EPA. Virginia cannot issue a violation letter for exceeding the health advisory because we don't have an MCL.

For the six analytes specified in HB586, ODW can look at the levels detected and compare against MCLs established by other states and other health effects information to get an idea if there is a problem. At this point, ODW is not making a commitment to collect confirmation samples and require corrective actions based on the levels established by other states. ODW will look at all analytes detected and compare them against published health effects information. Virginia will have to make decisions if action is necessary. Tony pointed out that PFBA (Perfluorobutyrate) health risk information is limited. He cautioned about comparing the sum of all the detected analytes to the health advisory level of 70 ppt. Simultaneously, our toxicology subgroup is working on the health risk information for the 25 analytes analyzed by EPA Method 533. After we sample and obtain the health risk information, we will be in a better position to have an idea whether to establish a health based levels for individual compounds or a sum of multiple compounds.

Different states have used similar approaches for the monitoring and occurrence studies, but have taken very different approaches to establishing MCLs. Some have regulated 5 or 7 compounds. The common thread is states are regulating PFOA and PFOS due to the greater health risks. We are using the toxicity and health effects information available to us.

Must a waterworks share PFAS sample results? – see slide 10.

10. Public Comments – There were no public comments.

11. Next Meeting – April 1, 2021, 2 – 4 pm.

Virginia PFAS Workgroup

Monitoring and Occurrence Subgroup

Bob Edelman

Virginia Department of Health

March 4, 2020

Subgroup Members

David Jurgen (City of Chesapeake)

Jamie Hedges (Fairfax Water)

Mark Estes (Halifax County Service Authority)

Jessica Edwards (Loudoun Water)

Mike McEvoy (Western Virginia Water Authority)

Henry Bryndza (Consultant, formerly with DuPont)

Jeff Steers (VDEQ)

Dwight Flammia (State Toxicologist)

Anna Killius (James River Assoc)

Tony Singh (VDH ODW)

Jack Hinshelwood (VDH ODW)

Bob Edelman (VDH ODW) - VDH Lead*

PFAS Workgroup Meeting Overview

Meeting Overview

- Call to Order
- Attendance
- Meeting Overview – Review Agenda
- Approve minutes from the previous subgroup meeting
- Sampling Plan – Follow up from Virginia PFAS Workgroup meeting as necessary
- Laboratory proposals – briefing
- Next steps to conducting sampling
- Data handling
- Public Comments
- Action Item Review



Meeting Minutes

Need to approve meeting minutes of February 4, 2021

Minutes are published on:

- Virginia Town Hall
- <https://townhall.virginia.gov/> search for **PFAS**

Members receive email with minutes

Minutes saved on the PFAS Workgroup SharePoint

- PFAS Monitoring and Occurrence Subgroup > Meetings

Sampling Plan

Follow up from Virginia PFAS Workgroup meeting as necessary:

What are your concerns about data handling?

What are your suggestions for data handling?

Laboratory Proposals

- Received three laboratory proposals
- One laboratory proposed EPA 537.1 for nonpotable water analysis instead of the DOD LC/MS/MS Isotope Dilution method
- Method 533 Method Reporting Levels proposed of 2, 4 and (2 - 16) ng/L
- Our project cost estimate range of \$34,000 to \$71,000
- One laboratory is certified for both methods 533 and DOD LC/MS/MS Isotope Dilution method
- Next steps:
 - Contract laboratory

Next Steps

- Contract laboratory
- Update project Quality Assurance Project Plan (QAPP)
- Share information with waterworks/field offices, finalize:
 - Waterworks, contact information
 - Sample Locations
- Contact waterworks, request sampling by waterworks staff
- Finalize sampling instructions, sampling video
- Share sample location and waterworks contact information with laboratory

Data Handling

Sampling Results:

- Laboratory reports emailed to ODW and waterworks
- Electronic Data Deliverable (EDD) emailed to ODW

Contributed results:

- Emailed to ODW

ODW will maintain results in a searchable database

- Reports for Subgroup Meetings
- Not in SDWIS
- Not available on Drinking Water Watch

What will happen if PFAS is detected at a waterworks?

- PFAS > MRL - ODW may request a confirmation sample
 - Consider analytes detected, individual levels, total concentration
 - Compare to the EPA PFOA plus PFOS Health Advisory Levels
 - Compare to other available health based levels
 - Budgetary constraints
- Average confirmation and original sample
- Finished Water: PFOA plus PFOS > 70 ppt => corrective actions
- Source Water: PFOA plus PFOS > 70 ppt => ODW will request a sample of the finished water.

Must a waterworks share PFAS sample results?

- The PFAS sampling is not mandated by VDH ODW
- The *Waterworks Regulations* do not require owners to notify customers of monitoring for analytes that are not mandated.

However:

- PFAS sample results at VDH ODW are public documents, subject to Freedom of Information Act (FOIA) requests

Therefore:

- Recommend sharing sample results through the CCR or other consumer notifications

Subgroup Deliverables

1. Research PFAS Occurrence/Sampling Studies in other states - internal deliverable - Week of January 11, 2021
2. Virginia PFAS Sampling Study Plan - **Due Now**
3. Organize, tabulate, and summarize Virginia PFAS Occurrence data - TBD

Public Comments

Action Items Review

Are we clear about action items and due dates?

Next Meeting: April 1, 2021, 2 - 4 pm

Have any Question, Comment or Suggestion, contact Us

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