

Order for the Determination of the Presence of Per- and Polyfluoroalkyl Substances (PFAS) at Chrome Plating Facilities in California

November 2019



The California State Water Resources Control Board (Water Board) is implementing a phased PFAS Investigation Plan to evaluate the presence of PFAS in groundwater and soil across the state. As part of this investigation plan, the Water Board previously issued orders for sampling of water systems and landfills. During the first week of November, the Water Board issued sampling and reporting orders to chrome plating facilities. The process is expected to continue until a wide spectrum of facilities that may have used, stored, or released PFAS are sampled.

Dischargers Impacted by this Order

Under Order WQ 2019-0045-DWQ, the Water Board is requiring dischargers (current, past, or suspected) listed in the Order, to furnish technical or monitoring reports related to PFAS. The Water Board has already issued orders to more than 250 chrome plating facilities. These orders were based upon the potential that facilities with current discharge permits or regulatory files indicated release or discharges of wastes from plating operations. Chrome plating is being targeted due to research showing that these facilities are currently or have historically used fume suppressants or other substances that may contain PFAS. The Water Board has already directed PFAS testing at 30 airports and 196 landfills, and in the future will target other potential sources in the state to do the same.

Requirements of Order WQ 2019-0045-DWQ

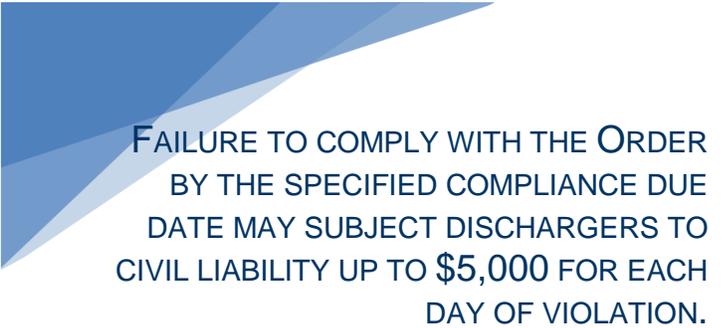
The focus of this Order is on perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and 36 other PFAS analytes listed in the Order. The Water Board is requiring:

- Submit a site investigation work plan that details the potential discharge of PFAS and will render data to characterize the nature of potential PFAS contamination in the soil, groundwater, storm water, and/or effluent wastewater at your facility;
- Perform the site investigation;
- Use a laboratory accredited by the California Environmental Laboratory Accreditation Program (ELAP) to perform the EPA analytical method 8327 for PFAS; and
- Submit to the applicable Regional Water Board, the results of the site investigation in a final report no later than 90 days after the State's acceptance of the work plan.

If your facility does not perform chrome plating, or if fume suppressants were not used, disposed, discharged, spilled, or released in any way to the land, drains, sewers, surface water, air, and/or groundwater at your facility, you may fill out and submit a questionnaire in lieu of performing the site investigation.

What are PFAS?

PFAS are a complex class of chemicals that include more than 3,000 fluorinated compounds with varying physical and chemical properties. Because the fluorine-carbon bond is one of the strongest chemical bonds in nature, fully fluorinated PFAS tend to be very resistant to thermal, chemical, and biological degradation. These properties make them useful in many industrial applications and consumer products. It is only within the last decade that analytical methods allow for these compounds to be measured accurately. Data collected in California to-date is showing PFAS compounds in drinking water wells throughout California.



**FAILURE TO COMPLY WITH THE ORDER
BY THE SPECIFIED COMPLIANCE DUE
DATE MAY SUBJECT DISCHARGERS TO
CIVIL LIABILITY UP TO \$5,000 FOR EACH
DAY OF VIOLATION.**

Key Order Dates

Document	Due Date
Questionnaire and Supporting Documentation	25 November 2019
Site Investigation Work Plan*	31 January 2020
<i>*uploaded to the State Water Board's GeoTracker database and received by the Regional Water Board</i>	

ERM can help

ERM has technical experts experienced with PFAS and we are tracking this issue with the Water Board to provide advice and advocacy for our clients. Expected challenges companies may face include:

- Knowledge and understanding of the latest PFAS sampling and analysis guidance and requirements
- Securing and scheduling laboratory capacity to complete the required investigation

If your facility has already received an order, ERM can assist you in preparing your response, whether it be completing the Water Board issued questionnaire or preparing a work plan for sampling and investigation. If you are anticipating receiving an Order, ERM can help you gather relevant information that will allow you to comply with the Water Board directives. Through these orders, the Water Board is building a database on the distribution of PFAS compounds in wastewater discharges, soil, and groundwater that may be used to direct future assessments. If you are not sure whether your facility has previously used PFAS materials, ERM can help evaluate your facility for PFAS-related liabilities.

ERM has experience in helping map out potential risk for large industry portfolios and is currently working on assessment and mitigation options for multiple sites with varied PFAS releases. Our PFAS services include:

- Portfolio evaluations and strategic planning
- Responses to regulators in regards to PFAS sampling requests
- Site investigation, management and remediation in the United States and internationally

Key contacts

For further information on how ERM can provide you with up-to-date PFAS information and solutions, please contact:

Marlene.Dawes@erm.com	+1 949-623-4670	(Irvine, CA, USA)
Mark.Shibata@erm.com	+1 916-924-9373	(Sacramento, CA, USA)
Nadine.Weinberg@erm.com	+1 617-646-7884	(Boston, MA, USA)