

## State Water Board Announces Sweeping Investigation and Phased Sampling of Potential Industrial and Municipal Sources of PFAS

March 13, 2019

On March 6, 2019, the California State Water Resources Control Board (State Water Board) announced a sweeping investigation to study and sample potential sources of per- and polyfluoroalkyl substances (PFAS) in drinking water sources during a public workshop with federal and state agency stakeholders. The State Water Board's statewide investigation and phased sampling will impact a variety of potential industrial and municipal sources of PFAS, including airports, landfills, manufacturing facilities, bulk terminals, and wastewater treatment facilities.

PFAS are highly fluorinated manmade compounds that are resistant to heat, water and oil. They are used in fire suppression foams and in a wide range of products designed to be waterproof, stain-resistant or non-stick, such as carpets, furniture, cookware, clothing and food packaging. PFAS have also been found in drinking water supplies and are reported to have a variety of adverse health effects.

The State Water Board intends to investigate and sample potential sources and proximate drinking water wells in three phases. In phase one, expected to commence by the end of March 2019, the State Water Board will sample and test airports where fire training or fire response sites may have used fire retardant foam containing PFAS, municipal solid waste landfills, as well as nearby drinking water wells associated with these sites. In phase two, expected to commence this Summer, the State Water Board will require primary manufacturing facilities, refineries, bulk fuel storage terminals, non-airport fire training locations, and recent urban wildlife areas to conduct sampling and testing. Finally, in phase three, expected to commence in the Fall, the State Water Board will target wastewater treatment and pre-treatment plants, and domestic wells for sampling and testing. Those entities affected by the State Water Board's PFAS testing should expect to see investigative orders pursuant to Water Code Section 13267 and Health and Safety Code Section 116400. Water Code Section 13267 provides the State Water Board with broad authority to investigate water quality throughout the state, including testing for potential PFAS. Significantly, failure to comply

### Related People

Leila C. Bruderer  
Steven H. Goldberg  
Patrick F. Veasy

### Related Industries

Agribusiness  
Public Agencies/Municipalities  
Water Rights & Resources

### Related Practices

Environmental/Toxics Litigation  
Food & Agriculture  
Food Safety  
Water Quality Law

with such orders may subject the discharger to civil and criminal liability.

The State Water Board's announcement is a good indication that it is also likely the State Water Board will take more concrete steps to start regulating PFAS in the very near future and this will prompt further investigation and remediation overseen by the Regional Water Quality Control Boards throughout California.

For additional information about the State Water Board's efforts to study and investigate PFAS, please click [here](#).