

Per- and Polyfluoroalkyl Substances Notifications to Consumers: A Quick Reference Guide

PFAS Rule Overview

Rule Title	Per- and Polyfluoroalkyl Substances (PFAS) National Primary Drinking Water Regulation (NPDWR) 89 FR 32532, April 26, 2024, Vol. 89, No. 82
Rule Purpose	The PFAS Rule aims to improve public health protection by managing the health risks from PFAS in drinking water. The final Rule also established Public Notification (PN) tiering for systems in violation of the requirements in Subpart Z and established mandatory health effects statements to communicate potential health concerns to drinking water consumers in the PN and Consumer Confidence Reports (CCRs).
Focus of This Guide	This guide discusses requirements for PN and CCRs as they apply to regulated PFAS. Information in PNs and CCRs can help consumers make informed choices about the water they drink and understand how contaminants in their drinking water might affect their health. The final PFAS Rule establishes multiple tiers of PN for systems in violation of the requirements in Subpart Z and added contaminant-specific health effects language for inclusion in the PNs and CCRs.
Utilities Covered	The PFAS Rule applies to community water systems (CWSs) and non-transient non-community water systems, hereafter referred to collectively as water systems.
Key Milestones	April 26, 2027: Initial monitoring ends and compliance monitoring begins. CCR reporting and Tier 3 PN notifications begin. April 26, 2029: All regulated water systems must comply with the PFAS MCLs. Tier 2 PN notifications begin.
Code of Federal Regulations (CFR) Citations	See the following sections in Title 40, Part 141 of the CFR: <ul style="list-style-type: none"> ▶ For PFAS regulations, see Subpart Z. ▶ For Maximum Contaminant Levels (MCLs), see 40 CFR 141.61(c)(2). ▶ For Maximum Contaminant Level Goals, see 40 CFR 141.50. ▶ For compliance dates, see 40 CFR 141.6(l) and 40 CFR 141.900(b).

PN Rule (Subpart Q of Part 141) Requirements Applicable to Regulated PFAS

Overview

Description	The PN Rule requires each public water system (PWS) to notify its consumers any time it violates an NPDWR or has a situation with the potential to pose a risk to public health. Notices must be provided in a form and manner reasonably calculated to reach all persons served. PN requirements are divided into three tiers, based on the seriousness of the violation or situation and of any potential adverse health effects that may be involved. Tier 1 notification, the most expedited, is not required under the PFAS Rule.
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PFAS Rule Violations and Other Situations Requiring Public Notice (Appendix A to Subpart Q of Part 141):

Tier 2 PN	Required if a system has a PFAS MCL violation in 40 CFR 141.61(c) or violates the terms and conditions of a variance or exemption (Safe Drinking Water Act (SDWA) Sections 1415 and 1416, 40 CFR 142.307). Water systems must provide notice as soon as practical but no later than 30 days after a system learns of the violation.
Tier 3 PN	Required if a system has a PFAS monitoring and testing violation in 40 CFR 141.905(c) or is operating under a variance or exemption (SDWA Sections 1415 and 1416). Water systems must provide notice no later than one year after the system learns of the violation. A CWS may use its CCR to deliver the notice if timing, delivery, and content requirements are met.
<ul style="list-style-type: none"> ▶ A PWS must send a copy of the PN and certification that it has fully complied with the requirements to its primacy agency within 10 days of completing the PN requirements (40 CFR 141.31(d)(1)). ▶ If a water system has an exceedance of the Hazard Index PFAS MCL and one or more individual MCLs for a PFAS included in the Hazard Index (that is, PFHxS, PFNA, or HFPO-DA), combining notifications in one public notice is allowed (see footnote 23 to Appendix A to Subpart Q). ▶ Primacy agencies may determine other violations and situations require a public notice (see table 1 to 40 CFR 141.201). ▶ Primacy agencies may require a more stringent public notice tier or require PN for other situations not listed above, at their discretion (as authorized under 40 CFR 141.202(a) and 40 CFR 141.203(a)). This can be done via regulations, or on a case-by-case basis. ▶ See https://www.epa.gov/dwreginfo/public-notification-rule for more information on complying with Public Notification Rule requirements. 	

PN Timing Requirements

April 26, 2027	Water systems are required to comply with the Tier 3 PN requirements of Subpart Q following a monitoring and/or testing violation under Subpart Z.
April 26, 2029	Water systems are required to comply with the Tier 2 PN requirements of Subpart Q following a MCL violation under Subpart Z.

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CCR Rule¹ (Subpart O of Part 141) Requirements Applicable to Regulated PFAS

Overview

Description	The CCR Rule requires all CWSs to prepare and distribute a water quality report summarizing information regarding the quality, treatment, and management of their drinking water supply, including detected contaminants, compliance, and educational information. CWSs must deliver CCRs annually by July 1. Beginning in 2027, CWSs serving 10,000 people or more must provide CCRs biannually or twice per year (40 CFR 141.152). CWSs must directly deliver the CCR to customers by mail, electronic means, or another approved method, in addition to making a good faith effort to provide the CCR to non-bill paying consumers.
Reporting Reminders	<ul style="list-style-type: none"> ▶ 40 CFR 141.151(d) defines “detected” specifically for the purposes of CCR reporting as meaning at or above the trigger level prescribed in 40 CFR 141.902(a)(5) for regulated PFAS. ▶ For perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS), concentrations below the Practical Quantitation Level but above the trigger levels, qualify as “detected.” ▶ CWSs are required to begin reporting initial PFAS monitoring data in CCRs delivered after April 26, 2027. ▶ If a CCR includes data for the Hazard Index PFAS, the report must include the Hazard Index definition provided in the CCR Rule (40 CFR 141.153(c)(3)(v)). ▶ CWSs may include additional information as they deem necessary for public education consistent with, and not detracting from, the purpose of the report (40 CFR 141.153(h)(5)).

CCR Timing Requirements¹

April 1 of each year, or a date mutually agreed upon by seller and purchaser	A CWS that sells water to another CWS must provide required information for CCRs to the buyer system by April 1 of that year, and annually thereafter, or by a date mutually agreed upon by the seller and purchaser. For the PFAS monitoring and reporting requirements and violations, this requirement applies beginning April 26, 2027.
July 1 of each year	All CWS must include PFAS monitoring and compliance information in CCRs delivered by July 1 of each year. For the PFAS monitoring and reporting requirements and violations, this requirement applies beginning April 26, 2027. Because the PFAS MCL compliance date is April 26, 2029, only CCRs delivered after that date must include PFAS MCL violations.
October 1 of each year, or a date mutually agreed upon by seller and purchaser	A CWS that sells water to another CWS that is required to provide CCRs biannually, or twice per year, must provide the applicable information by October 1, 2027, to the buyer system, and annually thereafter, or a date mutually agreed upon by the seller and the purchaser.
December 31 of each year	<p>Beginning December 31, 2027, CWSs serving greater than 10,000 persons must deliver reports twice per year by December 31 (40 CFR 141.155(j)(2)):</p> <ul style="list-style-type: none"> ▶ If the system has a violation of requirements of 40 CFR Subpart Z that occurred between January 1 and June 30 of the current year or has received Unregulated Contaminant Monitoring Rule data from the prior year not included in the report delivered by July 1, the system must send a 6-month update with the second report that accompanies the annual report. ▶ CWSs serving greater than 10,000 persons with one or more PFAS MCL violations that occurred from 4/26/2029 through 6/30/2029 must include the violation information in a 6-month update delivered by December 31, 2029, per 40 CFR 141.155. ▶ If no violations occur and there are no updated Unregulated Contaminant Monitoring Rule data, the system may re-send the annual report for the previous calendar year.

Note: Beginning in 2027, no later than 10 days after the date the system is required to distribute the report to its customers, each CWS must provide a copy of the report to the primacy agency and a delivery certification (40 CFR 141.155(c)).

¹ Beginning with reports delivered in 2027, reports must meet revised CCR Rule requirements in 40 CFR 141, Subpart O, pursuant to 40 CFR 141.152(a).

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Additional Resources

The EPA's PFAS homepage	https://www.epa.gov/pfas
Final PFAS NPDWR homepage	https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas
The EPA's PFAS Communication Toolkit	https://www.epa.gov/sdwa/pfas-communications-toolkit
Public Notification Rule information	https://www.epa.gov/dwreginfo/public-notification-rule
Consumer Confidence Report Rule information	https://www.epa.gov/ccr
Additional information on health effects of PFAS from the Agency for Toxic Substances and Disease Registry	https://www.atsdr.cdc.gov/pfas/health-effects/index.html

For additional information on the PFAS Rule

Please visit the EPA PFAS NPDWR Implementation Web site at <https://www.epa.gov/dwreginfo/pfas-rule-implementation> or contact your drinking water primacy agency.

Note: The statutory provisions and the EPA regulations described in this document contain legally binding requirements. This document is not a regulation itself, nor does it change or substitute for those provisions and regulations.