
***** NOTICE OF PENDING REGULATIONS *****
PER AND POLY-FLUOROALKYL SUBSTANCES (PFAS)

Dear Valued Customer:

Recently, the Environmental Protection Agency (EPA) and the Nevada Division of Environmental Protection (NDEP) has identified increased concern regarding per- and polyfluoroalkyl substances (PFAS). PFAS are highly toxic compounds found in a wide range of products, including common consumer products like non-stick pans, stain and water-resistant fabrics and clothing, personal care products, paper and packaging, construction materials, detergents, fabric softeners, firefighting foam, hydraulic fluids, pesticides/herbicides and many other products. PFAS are considered forever chemicals that will persist in the environment for many years.

On December 5, 2022, the EPA released a memo addressed to Regional Water Division Directors, indicating that EPA intends to leverage the National Pollutant Discharge Elimination System (NPDES) program to restrict the discharge of PFAS at their sources. In March 2023, the EPA proposed a new rule which will legally establish enforceable levels for several PFAS compounds known to occur in drinking water. The NDEP is also proposing to include requirements for PFAS source identification and monitoring in discharge permits for wastewater treatment facilities. This will allow for EPA and NDEP to obtain comprehensive information on the sources and quantities of PFAS discharges, which can then be used to inform next steps as appropriate to limit discharges of PFAS to wastewater treatment facilities.

This letter serves as official notice to Industrial Users (IU) about the PFAS concerns and pending regulations. The letter is also intended to provide advanced awareness that self-monitoring requirements &/or adherence to best management practices (BMPs) may soon be required for permitted IUs which use PFAS-containing materials are part of their operations.

The City of Henderson's (city) goal is to achieve compliance with the pending PFAS regulations in advance, by working cooperatively with IUs to reduce any industrial contributions of PFAS to our wastewater collection system to the greatest extent possible. The city is conducting monitoring at several locations within the publicly owned treatment works (POTW) to help identify potential sources of PFAS. These efforts will expand to include monitoring wastewater discharges from various IUs. As part of city's Pretreatment Program routine compliance inspections, Pretreatment Inspectors will communicate any updates regarding PFAS regulations and monitoring requirements as we continue to develop and implement our PFAS reduction strategy.

The city strongly encourages IUs to conduct a comprehensive evaluation of the facility's operations, to assess if PFAS compounds are present in the products used or produced. In addition, IUs should proactively sample for PFAS in the facility's wastewater, to assess if PFAS compounds are present. The recommended test method for PFAS sampling is EPA 1633. The city requests IUs voluntarily submit PFAS self-monitoring results to Pretreatment, as part of the routine self-monitoring reports.

The following are EPA's recommended BMPs and monitoring strategies that can be used to identify and reduce PFAS discharges:

- Quarterly self-monitoring for PFAS
- Product elimination or substitution when a reasonable alternative exists
- Accidental discharge minimization through optimizing operations and good housekeeping practices
- Equipment decontamination or replacement where PFAS products have historically been used to prevent the discharge of legacy PFAS following the implementation of product substitution

Again, this notice is intended to prompt IUs to preemptively consider implementation of the BMPs and strategies listed above, and to provide time for IUs to allocate the appropriate resources as necessary.

Listed below are some additional resources which may be useful:

- EPA Memo on PFAS: [NPDES PFAS State Memo December 2022.pdf \(epa.gov\)](https://www.epa.gov/sites/default/files/2022-12/npdes-pfas-state-memo-december-2022.pdf)
- EPA PFAS webpage: <https://www.epa.gov/pfas>
- Center for Disease Control (CDC) PFAS webpage: <https://www.cdc.gov/niosh/topics/pfas/default.html>
- EPA PFAS product substitution information: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/new-chemicals-program-review-alternatives-pfoa-and>
- RTI International, information on finding alternatives for PFAS: <https://www.rti.org/impact/replacing-polyfluoroalkyl-substances-with-safer-chemicals>
- EPA PFAS sampling and analysis information: <https://www.epa.gov/water-research/pfas-methods-and-guidance-sampling-and-analyzing-water-and-other-environmental-media>

If you have any questions, comments, or concerns regarding this letter, please contact Pretreatment at COHPT@cityofhenderson.com or (702) 267-2603, Monday through Friday from 6:00 a.m. until 4:00 p.m.

Sincerely,

CITY OF HENDERSON

R. Matt Thomas

Assistant Wastewater Operations Manager