



Criteria to Adopt State Action Levels

September 2020

The Department of Health (department) recommends that the State Board of Health (board) establish in rule a process and criteria to set state action levels (SAL) for unregulated contaminants. A SAL is the concentration of a contaminant or group of contaminants, without a maximum contaminant level (MCL) established to protect public health. If exceeded, a SAL triggers required monitoring and public notification.

To date, the U.S. Environmental Protection Agency (EPA) has not taken regulatory action to set an MCL for Poly- and Perfluoroalkyl Substances (PFAS), which are chemicals used in industrial and consumer products, such as carpeting, apparel, upholstery, food paper wrappings, fire-fighting foams, and metal plating worldwide since the 1950s.

Draft—New Section—315, State Action Levels

Criteria to select contaminants

The draft rule identifies criteria used to select an unregulated contaminant to adopt SALs as:

- ◆ Drinking water is a contributor of the contaminant to human exposure.
- ◆ The contaminant is known to occur in public water systems at levels of public health concern and has possible adverse effects on the health of persons exposed.
- ◆ A certified lab can measure the concentration of the contaminant accurately at and below the level of public health concern using EPA-approved analytical methods.

If a contaminant meets these criteria, the department may develop SAL:

- ◆ Peer-reviewed scientific literature and government publications on fate, transport, toxicity, and health effects of the contaminant and relevant metabolites.
- ◆ The most sensitive human biological system, such as reproductive and endocrine systems, for the most sensitive populations, such as pregnant females and young children.

State Board of Health action

The board may take regulatory action to adopt a SAL based on the department's findings.

The department used draft criteria to select contaminants for board action. The department recommends that the board adopt the following contaminants and the associated regulatory levels. (See tables on next page.)

Contaminant or Group of Contaminants	Draft SAL
Bromomethane	5 ug/L
DCPA acid metabolites	85 ug/L
Dichlorodifluoromethane	530 ug/L
Trichlorofluoromethane	1,300 ug/L
Naphthalene	14 ug/L
1,2,3-Trichloropropane	21 ug/L
Per- and polyfluoroalkyl substances (PFAS)	Draft SAL
PFOA	10 ng/L
PFOS	15 ng/L
PFHxS	70 ng/L
PFNA	14 ng/L
PFBS	860 ng/L

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