



Practical Considerations for Limiting PFAS Liability in Day-to-Day Utility Operations

CATHERINE STOTT | JAMES FEILD

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Topics of Discussion



Introductions



Real Life Experiences



Key Takeaways



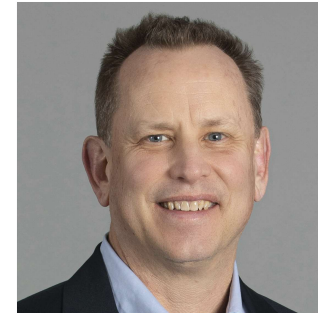
INTRODUCTIONS

Who we are and why we are talking.



**Catherine (Cathy)
Stott, PE, PG**

Associate Environmental
Engineer and Technical
Lead, PFAS & Emerging
Contaminants



**James (Jim)
Feild, PhD, RG, LHG**

Associate Hydrogeologist
and Technical Lead, PFAS
& Emerging Contaminants



Real – Life Experience



Example #1:
Underground Service
Work

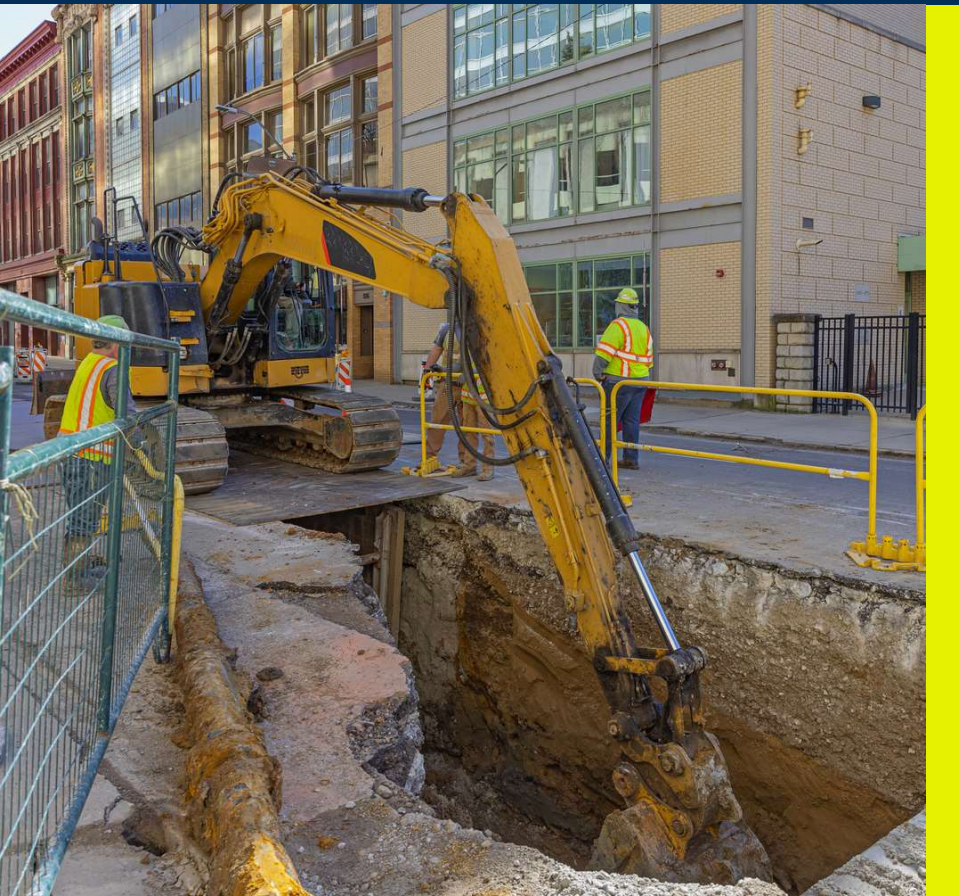


Example #2:
Remediation Project



Example #3:
Compliance Sampling

EXAMPLE #1



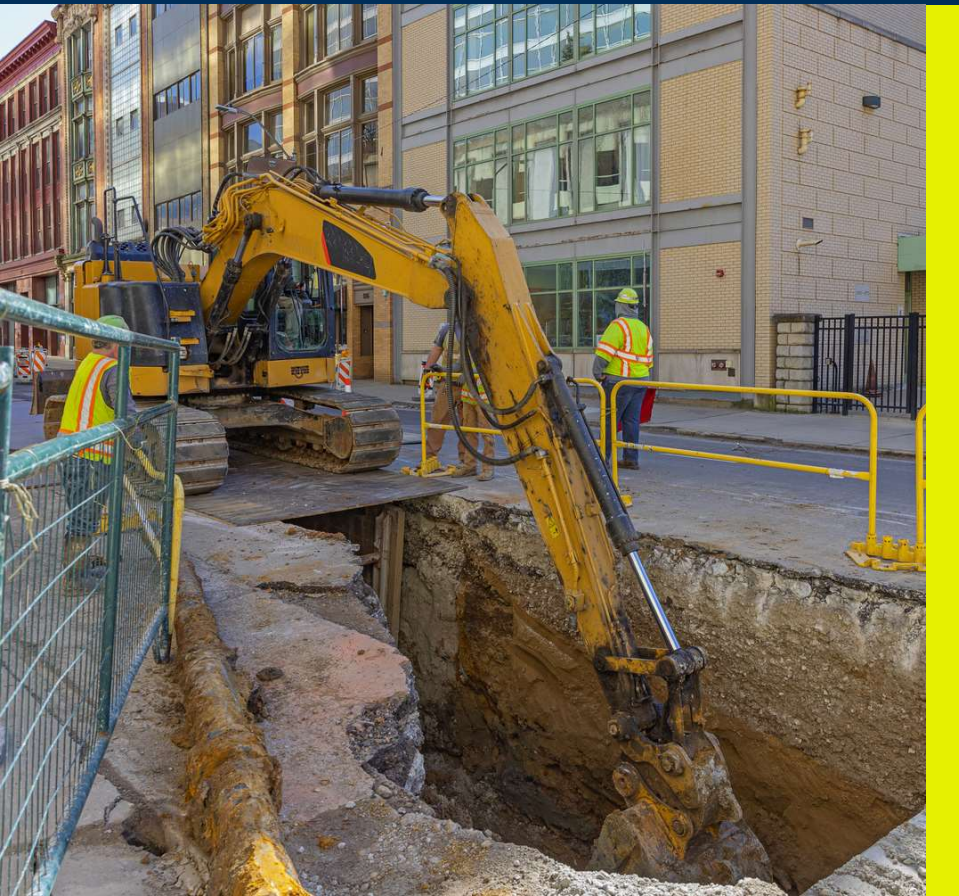
Underground Service Work

Situation:

- Utility crew is excavating underground service line.
- Encounters groundwater while trenching in a roadside Right of Way (ROW) that requires dewatering prior to construction proceeding.
- State regulator requires sampling and treatment of groundwater prior to discharge due to known PFAS impacts in the area.



EXAMPLE #1



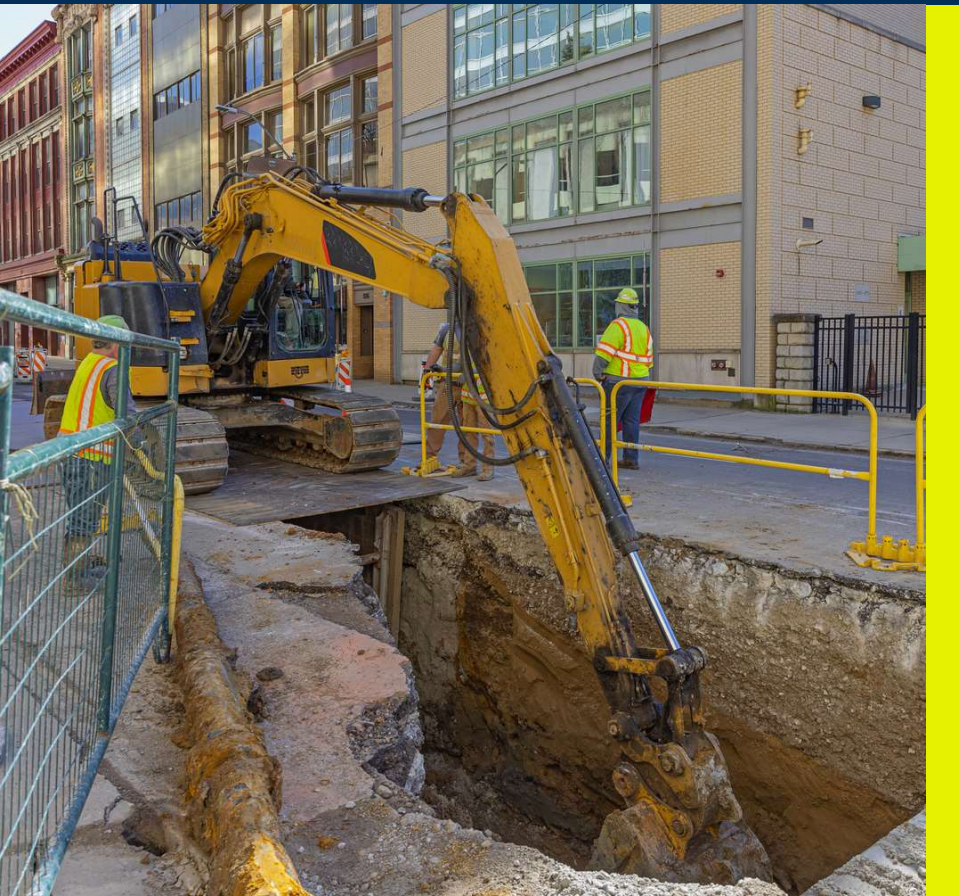
Underground Service Work

QUESTION

WHAT DO YOU DO?
IT MAY NOT BE YOUR PFAS
– YET YOU NEED TO DEAL WITH
THE ISSUE.



EXAMPLE #1



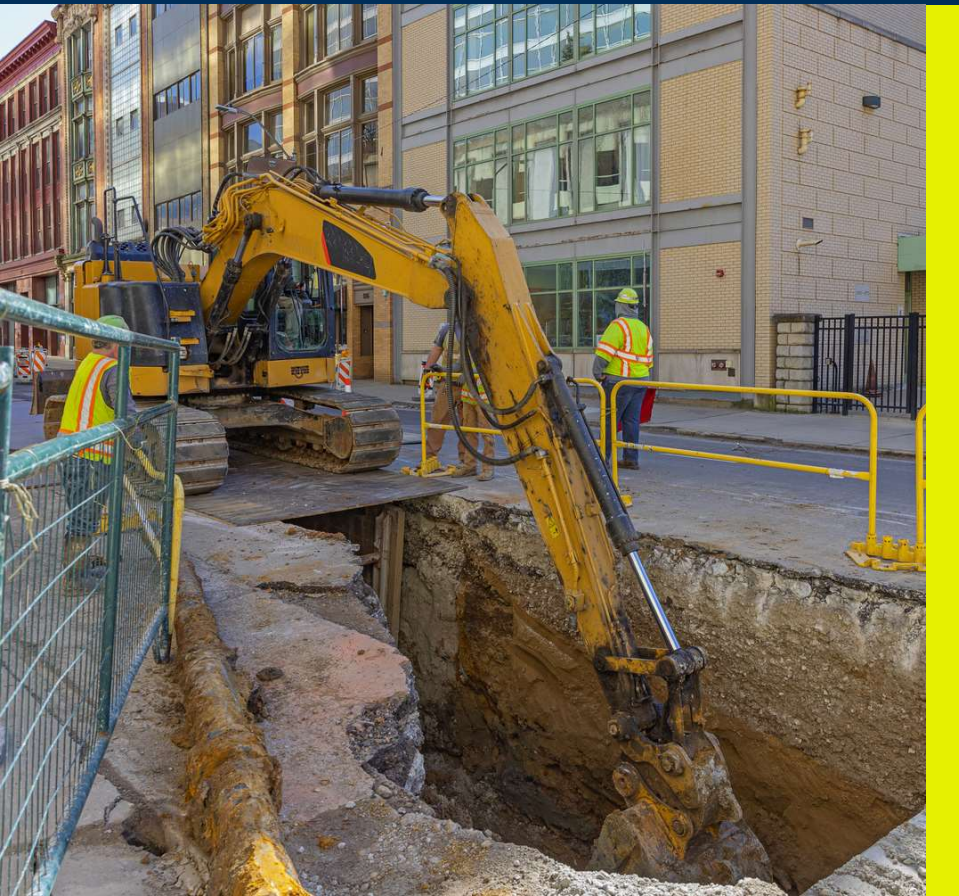
Underground Service Work

OPTION 1: BE REACTIVE

- Halt work.
- Line up water storage.
- Containerize the water generated.
- Get samples collected and analyzed.
- Get regulator input and approval for treatment and discharge.
- Deploy treatment option.
- Resume work with the added dewatering treatment scope.



EXAMPLE #1



Underground Service Work



OPTION 2: BE PREPARED

- Prior to starting any underground work, develop a **Contaminated Material Management Plan** that anticipates this potential situation.
- Talk to the Regulators and stakeholders in advance.
- Plan for capturing the water, having enough storage capacity to allow you to get your work done.
- Plan for sampling & analysis.
- Anticipate potential treatment options and get regulator approval of your plan before starting the work.
- When groundwater is encountered, execute the dewatering and treatment according to the **Contaminated Material Management Plan** – with minimal impact to the overall schedule.

Example #2: Remediation Project



EXAMPLE #2



Remediation Project

Situation:

- Remediation has been conducted at the site to the extent feasible.
- Contaminants of concern were non-PFAS constituents.
- Currently in long-term monitoring with the goal of receiving closure/no further action in the near future.
- Regulator is requiring you to initiate sampling for PFAS, even though there is no history of PFAS use onsite (no AFFF usage, no fire training areas, no plating operations, etc.).



EXAMPLE #2



Remediation Project

QUESTION:

WHAT DO YOU DO?
IT MAY NOT BE YOUR PFAS
– YET YOU NEED TO DEAL WITH
THE ISSUE.



EXAMPLE #2



Remediation Project



BE PREPARED

- Get your legal team involved to help evaluate if further investigation is required and to what degree.
- Seek clarity on the regulator's objectives.
 - What are they looking for?
 - Is there someone else that should be involved besides you?
 - Should they be doing the work instead of you?
 - What happens if you find something, is it up to you to prove who is responsible?
- If investigation is needed:
 - Be strategic in how, what and where you sample.
 - Determine analyte list, methods and action levels in advance.
 - Follow regulator's PFAS guidance with collecting samples and document sample collection methods clearly.

Example #3: Compliance Sampling



EXAMPLE #3



Compliance Sampling

Situation:

- You are an industrial wastewater discharger that does not knowingly use PFAS-containing materials.
- You are discharging to a POTW or NPDES Outfall.
- The combined influent to the POTW has PFAS concentrations above established screening values based on samples collected by POTW.
- The regulator and POTW wants you to “voluntarily” sample your discharge for PFAS.



EXAMPLE #3



Compliance Sampling

QUESTION:

WHAT DO YOU NEED TO CONSIDER?
WHAT DO YOU DO?



EXAMPLE #3



Compliance Sampling



THINK IT OUT

- Use your resources - bring in legal.
- What is your process water in contact with?
- If you would complete the sampling, how would you go about it?
 - Is collecting multiple samples in your best interest, such as your influent water and effluent?
 - Do the effluent water characteristics change over time? How do you get representative samples?
 - Where exactly would you collect a sample?
 - Where could error be introduced? Know where errors or contamination may occur and take precautions to avoid.
 - What sampling method would you use? What is required?

EXAMPLE #3



Compliance Sampling



THINK IT OUT, CONT.

- How is the regulator going to use the results?
- What if the influent water concentrations are higher or equal to your effluent?
- What if the effluent is higher than the influent?
- If you have a detection over screening levels, what would be your next step? And can you take these steps before sampling?
 - Looking at the source of your process water? Is there publicly available PFAS results?
 - Taking a second look at any additives or products you use?
 - Reviewing process equipment and piping? Teflon lined?

Key Takeaways



BE PROACTIVE

- **Use all of resources.**
 - Legal, operations, environmental consultants, USWAG and regulators.
- **Understand where PFAS-containing products may be at your facility.**
 - Are you using products in your operations that may lead to PFAS being present?
 - Is reviewing SDSs enough?
 - Having this information is a great way to get ahead of requests.
- **Think ahead and plan ahead.**
 - Consider what your response/sampling strategy would be.
 - Where in your system could you cost-effectively collect representative samples?
 - If PFAS were detected, what would be your next step?
 - If construction is involved, consider sampling in advance to avoid delays.
 - Should you outsource the PFAS sampling and data evaluation to environmental professionals?
 - How might this affect your operating budget in the next year, or in the next five years?

*Working through the potential options with legal support and environmental professionals, before your facing a time-critical deadline, will allow you to respond **proactively** instead of **reactively**.*



Questions?

Other scenarios for discussion?

