

NYS DOH statement to NY Focus. Jan. 26, 2022

NYS DOH has been working with the Drinking Water Quality Council (DWQC) since its inception in 2017 to address emerging contaminants in drinking water according to the legislative charge in the Emerging Contaminant Monitoring Act. This led to NYS adopting among the most stringent MCLs in the nation for three emerging contaminants specifically listed in the EC Monitoring Act, 1,4-dioxane at 1 part per billion (ppb) and PFOA and PFOS at 10 parts per trillion (ppt) each. These MCLs were promulgated in August 2020 and have been successful in identifying where these high priority ECs occur in NYS supplies and in creating solutions that mitigate exposure as quickly as possible. DOH's MCL requirements have also led to the identification of additional PFAS ECs in drinking water. This information was presented to the DWQC as it became available and resulted in the Council's recommendation for listing 7 additional PFAS in October 2021, consistent with its mandate under the EC Monitoring Act. At its last meeting (December 2021), the Council began addressing how best to set notification levels for these prioritized additional PFAS ECs. Since that meeting, the Governor has signed legislation that requires DOH to address a broader list of PFAS in conjunction with advice from the DWQC, which will include a discussion of appropriate notification levels. However, it is important to note that all EC detections regardless of the level at which it is found, must be notified to the public via the annual water quality report.

Additional Information:

- At its last meeting on December 22, 2021, the DWQC reviewed 7 additional emerging contaminants for regulation and discussed notification levels and treatment methodologies and options.
- DOH has notification templates that are provided to water suppliers through local health departments. The templates may be customized as appropriate, but yes the language from Suez's notification is consistent with our templates and determination that at the levels detected, the water remains acceptable for all uses as steps are taken by the water system to reduce levels.
- MCLs for chemicals are set at levels well-below health effects. Unless there is an exposure that represents a significant health risk, the water remains acceptable for use while the water system takes actions to reduce levels below the MCL. However, an MCL exceedance always requires water systems to take actions to reduce long-term exposures.
-
- All MCL exceedances require actions by the water supplier to reduce levels on a strict compliance schedule. When notification states water is acceptable for all uses, this means that DOH determined no additional interim measures are needed during the time that water systems take action to reduce the exposure. If notification recommends that people not use water for drinking/food preparation,

DOH determined the exceedance considerably reduces protections built into standards. These evaluations are done on a case by case basis based on the level of exceedance and how much it reduces the margin of protection built into the standard.

-
- MCLs or drinking water standards are set far below levels that cause health effects. These levels are set to also consider the availability of drinking water treatment technologies, the ability to accurately measure the contaminant, and the cost associated with removing the contaminant to acceptable levels. This is why with the exception of contaminants like bacteria, the water may be acceptable to use while actions are being taken by the water supplier to reduce levels.
- As is true for many chemicals, most of the information on PFOA and PFOS health effects comes from studies of high level exposure in animals, and less is known about the risk for health effects in humans from lower levels of exposure such as those that might occur from drinking water. It is not possible to predict with certainty the PFOA and PFOS exposure levels that will cause health effects in humans. Therefore DOH uses a health protective approach to address drinking water exceedances, which focuses on reducing exposure and maintaining an adequate margin of protection against health effects. The actions taken to address exceedances are made on a case by case basis based on the level of exceedance and how much it reduces the margin of protection built into the standard