

EPA PFAS Drinking Water Rule – Key Points

Updated May 20, 2026

Background

On May 14, 2025, EPA announced plans to change the National Primary Drinking Water Regulations (NPDWR) for PFAS. These rules apply to all community water systems and non-transient noncommunity water systems.

On January 21, 2026, the U.S. Court of Appeals for the D.C. Circuit issued several orders related to lawsuits filed by AMWA and AWWA. The court refused EPA's request to remove the Hazard Index PFAS chemicals (PFHxS, PFNA, GenX, and PFBS) from the rule. The court also told EPA to identify which parts of the rule it no longer plans to move forward with.

Even with these court actions, **EPA says it still plans to move ahead with the PFAS Rule changes listed below.** Waterworks should keep planning as if these changes will be finalized.

Draft Rule Actions as of May 20, 2026

EPA released two draft rules that could change parts of the PFAS Rule. These drafts are open for public comment and are not final. EPA is **not** proposing changes to the initial monitoring or compliance monitoring requirements. Because of this, VDH recommends that waterworks continue working to meet the 2024 Rule requirements, including:

- Completing initial monitoring and reporting by April 26, 2027
- Preparing for compliance monitoring starting in April 26, 2027
- Meeting the MCL compliance deadline of April 26, 2029

Proposed EPA Changes (May 20, 2026 Draft Rules)

1. EPA may remove the MCLs for PFHxS, PFNA, GenX, and the Hazard Index (including PFBS).

Data in Virginia shows that when a waterworks exceeds an MCL for one of these chemicals, it also exceeds the MCL for PFOS or PFOA, which are **not** changing.

2. EPA may allow waterworks to delay the MCL compliance deadline from 2029 to 2031.

This extension gives more time to plan and install PFOS and PFOA treatment if eligibility requirements are met.

3. These extensions are called “exemptions.”

They are issued under SDWA Section 1416 and 40 CFR 142.50.

How a Water System Can Qualify for an Exemption

A waterworks must send a written request to the EPA Regional Administrator that includes:

- Basic information about the waterworks (name, PWSID, contact details, consecutive systems, and date operations began)

- A statement explaining why the system cannot meet the PFOA and PFOS MCLs by April 26, 2029
- A statement showing the system is taking all possible steps to meet the MCLs, and what actions are underway
- The system's most recent PFOA and PFOS sample results
- For systems with PFOA or PFOS at or above 12 ng/L:
 - A description of the actions they will take to make sure there is no unreasonable health risk
 - At least two interim control measures (from EPA's list of six) must be used

If a system receives an exemption, it must follow the Public Notification Rule and Consumer Confidence Report requirements.

What Will Stay the Same

EPA does not plan to change the following:

- Initial monitoring must still be completed and results reported to VDH ODW by April 26, 2027
- The MCLs for PFOA and PFOS will remain at 4.0 ng/L
- The trigger levels for PFOA and PFOS will remain at 2.0 ng/L
- The schedule and frequency for compliance monitoring
- Public Notice and Consumer Confidence Report requirements

EPA has not yet given a timeline for finalizing these rules. ODW will share updates as new information becomes available. Updates will also appear on the [VDH PFAS page](#).