



THE UNITED STATES  
CONFERENCE OF MAYORS

# PFAS in Drinking Water

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# Biden-era Final Rulemaking

April 2024

- Final drinking water standards for PFAS were finalized last year (April 2024).
- PFOS and PFOA were finalized at 4 parts per trillion (ppt).
- The rule also introduced a hazard index approach for four other PFAS compounds.

## **Rule Requirements**

- Public water systems must monitor for these PFAS and have until 2027 to complete initial monitoring.
- Public water systems have until 2029 to implement solutions that reduce these PFAS if monitoring shows that drinking water levels exceed MCLs.
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# Impacts and Costs of Rulemaking –

- While EPA estimates the cost to implement the new rule will be \$1.5 billion annually, the American Water Works Association estimates that the cost will be **three times** as much.
- Estimated costs for public water systems include water system monitoring, communicating with customers, and installing treatment technologies.
- With local governments having spent \$80 billion on water supply utilities in 2020, these new costs would require a 3 to 4% increase in national spending, which would ultimately be passed on to consumers through rate increases.
- Infrastructure Investment & Jobs Act (IIJA) provided \$9 billion through Emerging Contaminants bucket through SRF (loans from State to local governments).

# Litigation Updates

## AWWA-AMWA Federal Lawsuit

- In June 2024, AMWA and AWWA filed a federal lawsuit against U.S. EPA in response to the agency's National Primary Drinking Water Regulation for several PFAS.
- AMWA and AWWA are asking the court to give EPA an opportunity to revisit any components of the rule that fell short.
- EPA finalized the rule before UCMR 5 data could be evaluated, and the Agency's use of the "Hazard Index."
- On September 12, 2025, EPA filed a motion seeking to vacate (i.e., withdraw) the regulatory determinations for the Hazard Index mixtures, indicating a potential revision to the rule. AWWA/AMWA welcomed that development as aligning with their arguments.

# Updated UCMR 5 Monitoring Data

UCMR5 provides the most comprehensive dataset to date on PFAS occurrence in drinking water systems.

EPA continues to release UCMR5 PFAS data updates with the latest round of data being released on August 22, 2025, making it the 9th out of 12 data sets.

A closer look at the data continues to show that:

- More small systems are impacted than estimated which means higher overall compliance costs.
- Fewer people affected in large systems than estimated which means fewer health benefits realized.

# Trump Era Amended Drinking Water PFAS Rule

May 2025

## Revisions

- The rule's compliance date will be extended **two years (from 2029 to 2031)**.
- **Additional timeline flexibilities** beyond the compliance deadline will be available for systems struggling to meet compliance requirements.
- **Maintains** MCLs for PFOA & PFOS (4 ppt)
- Calls to **rescind standards** for PFHxS, PFNA, HFPO-DA (known as GenX), and the use of the Hazard Index, plus PFBS.

## Next Steps

A draft rule is expected in fall 2025, with a final rule in spring 2026. Until then, the April 2024 rule remains in place.

# Class Action Lawsuits

## 3M and Dupont

There are currently two separate nationwide class action settlements between public water systems and companies that manufactured PFAS chemicals.

1). **3M: Between \$10.3 and \$12.5 Billion**

2). **Dupont: \$1.185 Billion**

**Phase Two** includes all public water systems who detected PFAS in their drinking water system AFTER the settlement date of June 22, 2023 (3M) or June 30, 2023 (DuPont).

Deadline for Phase 2: Testing Claims Form is due January 1st, 2026.

# Final Thoughts

- **Regulatory Uncertainty**
- **Funding**
- **Federal Class Action Lawsuits**
- **Ratepayer Impacts**
- **Competing Priorities**