History

Nevada Assembly Bill 97 (AB 97), an act relating to toxic chemicals, requires the Nevada Division of Environmental Protection (NDEP) to establish a working group to study issues related to environmental contamination from per- and polyfluoroalkyl substances (PFAS). Known as “forever chemicals,” PFAS are long-lasting chemicals used in a number of consumer and commercial products. To address PFAS contamination in Nevada, AB 97 outlined specific tasks and goals for the working group. The full text for AB 97 is available here.

NDEP began solicitating participants for the PFAS Working Group in early November 2021. Staff sent emails to state and local public agencies, labor and community organizations, trade associations, and other entities with a potential interest in PFAS management in Nevada. Soon after, the PFAS Working Group was established, and the first meeting was held digitally in January 2022. The Working Group held two additional meetings in March and April, with participation remaining open to interested parties. Links to meeting recordings and a list of Working Group members can be found on the Nevada PFAS Action Plan website.

As a result of these meetings, the PFAS Working Group developed the Nevada PFAS Action Plan. The first drafts of the Action Plan, as well as the finalized version, can be found here. The Crosswalk was also developed to highlight the specific sections of the Action Plan that address the goals of AB 97. You can view the Crosswalk here.

Is there PFAS contamination in Nevada?

While the potential for PFAS contamination in Nevada is difficult to determine due to limited sampling and analysis, the Working Group anticipates that most wastewater treatment facilities will have some levels of PFAS. This includes biosolids produced by these facilities. However, recent data showed no levels of PFAS compounds in each sample taken from over a dozen regulated public water systems in Nevada. These results indicate that while some PFAS contamination in Nevada is likely, the contamination might not be on a large scale.

No facilities in Nevada manufacture PFAS, though many have been identified as potential primary or secondary sources of PFAS. Using this data, the Working Group has identified several sources for potential PFAS contamination. NDEP has included these sites, along with drinking water sources, in a GIS-based sampling prioritization tool. NDEP plans to add hydrologic layers to this tool to also provide PFAS contamination risk assessments. This toll will be available to the public via the NDEP webpage upon completion.

How are people exposed to PFAS?

Nevadans can be exposed to PFAS in a number of ways, including from drinking water, surface water, groundwater, and ambient air and dust. Thankfully, initial testing shows that exposure through drinking water is unlikely. And while PFAS has been detected in both surface water and sediments, it has not been shown that these PFAS concentrations are harmful to humans who recreate in the water of eat contaminated game or fish. Waste treatment practices and facility

emissions can also release PFAS into the environment, though the amount of contamination is expected to be minimal.

How is PFAS regulated?

The U.S. Environmental Protection Agency (EPA) issued interim health advisories in June 2022 for specific types of PFAS. The updated advisories recommended that regulated drinking water have no more than 70 parts per trillion (ppt) of these chemicals present. Of the 17 states who have implemented drinking water regulations for PFAS, 11 have adopted levels lower than 70ppt, six matched EPA recommendations, and three have adopted levels higher than 70ppt. Nevada will follow EPA recommendations.

What is being done to address PFAS contamination?

The Nevada PFAS Action Plan makes several recommendations regarding PFAS monitoring, containment, and clean-up:

1. **NDEP makes PFAS monitoring data (both mandatory and voluntary) available to the public.** The GIS-based sample prioritization and risk assessment tool will be a public interface where PFAS sampling data can be shared, helping develop a regular monitoring strategy.

2. **PFAS reporting triggers or threshold levels are developed and codified, and PFAS releases are required to be reported.** The NDEP Spill Hotline can be expanded to include PFAS releases and spills.

3. **Outreach tools already in use by various agencies, as well as those developed alongside the Nevada PFAS Action Plan, be made available for use within the State.** By incorporating these tools, agencies working to address PFAS contamination can enhance community partnerships and leverage vital resources to help improve communication and transparency.