



LEGAL UPDATES

EPA On the Cusp of Issuing First-Ever Federal Enforceable Drinking Water Standard for Certain PFAS

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On March 27, 2024, the White House Office of Management and Budget (OMB) concluded its review of EPA’s final rule establishing a national drinking water regulation to limit concentrations of certain per- and polyfluoroalkyl substances (PFAS), or “forever chemicals,” in drinking water. When issued, this rule will be the first time the federal government has set enforceable standards for any PFAS in drinking water.

OMB reviews final rules before they are published to the public. The conclusion of OMB’s review marks a key milestone in the rulemaking process, which indicates that EPA’s issuance of the final PFAS rule to the public may be imminent, rumored to possibly come as early as this week.

The substance and scope of the final rule will remain unknown until it is published, including to what degree, if any, it differs from the proposed rule that EPA published in March 2023. Details regarding the 2023 proposed rule to set a legally enforceable maximum contaminant level (MCL) for six types of PFAS can be found in the [legal alert](#) published by Lathrop GPM on that topic last year. Lathrop GPM will provide additional information regarding the final PFAS rule and its requirements after it is made public.

For more information, contact Bill Beck, Ally Cunningham, Rick Kubler, Cynthia Teel, Jessica Rosell, Matt Walker, Blaine Bengtson or your regular Lathrop GPM attorney.

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