

Insights

PFAS STATE SNAPSHOT: COLORADO PFAS REGULATION

Mar 05, 2020

Colorado is one of several states that has started regulating per- and polyfluoroalkyl substances (“PFAS”) in drinking water, groundwater, and consumer products. This client alert reflects the status of PFAS regulations in Colorado as of March 3, 2020.

<div>DRINKING WATER PFOS + PFOA = 70 ppt</div> <div>GROUNDWATER One site-specific standard: PFOS + PFOA = 70 ppt This standard does not apply to the entire state.</div> <div>CONSUMER PRODUCTS Firefighter Personal Protective Equipment (“PPE”): Disclose whether PPE contains any PFAS materials. Firefighting Foams: Foams with PFAS materials cannot be used for training, and penalties could be assessed. Manufacturers may be asked to submit a Certificate of Compliance.</div>	<div>DRINKING WATER Adopted EPA’s Health Advisory Guidance 6 CCR 1007–3.890 (Part 261, App. VIII). Public water systems are encouraged, but not legally required, to sample water supplies for PFAS. No mandatory private well sampling is required, but is recommended.</div> <div>GROUNDWATER One site-specific clean up/remediation standard: El Paso County in Colorado Springs. This enforceable standard only applies to El Paso County where drinking water systems are served by groundwater sources believed to be contaminated with PFAS substances due to the use of firefighting foam at a nearby Air Force Base.</div> <div>CONSUMER PRODUCTS PPE: The mandatory disclosure of the presence of any PFAS compounds applies to both manufacturers and retailers. Firefighting Foams: Foams that are Class B firefighting foams are at issue, but are subject to some exceptions. The Colorado Department of Public Health and Environment may request a Certificate of Compliance from manufacturers ensuring adherence with the state requirements on the manufacture of Class B foam, or foam containing PFAS materials. Certain firefighting foams containing PFAS materials will be prohibited from sale, use, and distribution beginning on August 2, 2021. Survey: The Colorado Department of Health will conduct a survey of local fire departments every three years to collect information regarding the current usage, disposal, and inventory of firefighting foams containing PFAS materials.</div>
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[See additional information on Colorado’s Drinking Water PFAS regulations >](#)

For additional information regarding the site-specific groundwater restriction in El Paso County (Colorado Springs) visit the [Colorado.gov website](https://colorado.gov).

For more information on PFAS chemicals, and the regulatory and litigation risks that they pose, please visit our [PFAS webpage](#). If you have a question about how to manage PFAS risk in Colorado, or any other jurisdiction, please contact Tom Lee, Susan Brice, John Kindschuh, or any other member of our PFAS team at Bryan Cave Leighton Paisner LLP.

RELATED CAPABILITIES

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