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More time, fewer regulations for water utilities on PFAS

Central Florida Public Media | By [Molly Duerig](#)

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The Environmental Protection Agency recently announced utilities will have two more years to comply with federal limits on certain toxic “forever chemicals” or PFAS found in drinking water for millions of Americans.

In a move expected to affect water utilities along with public and environmental health, nationally and in Central Florida, the Environmental Protection Agency [is planning](#) to roll back existing federal limits on certain PFAS, or “forever chemicals.”

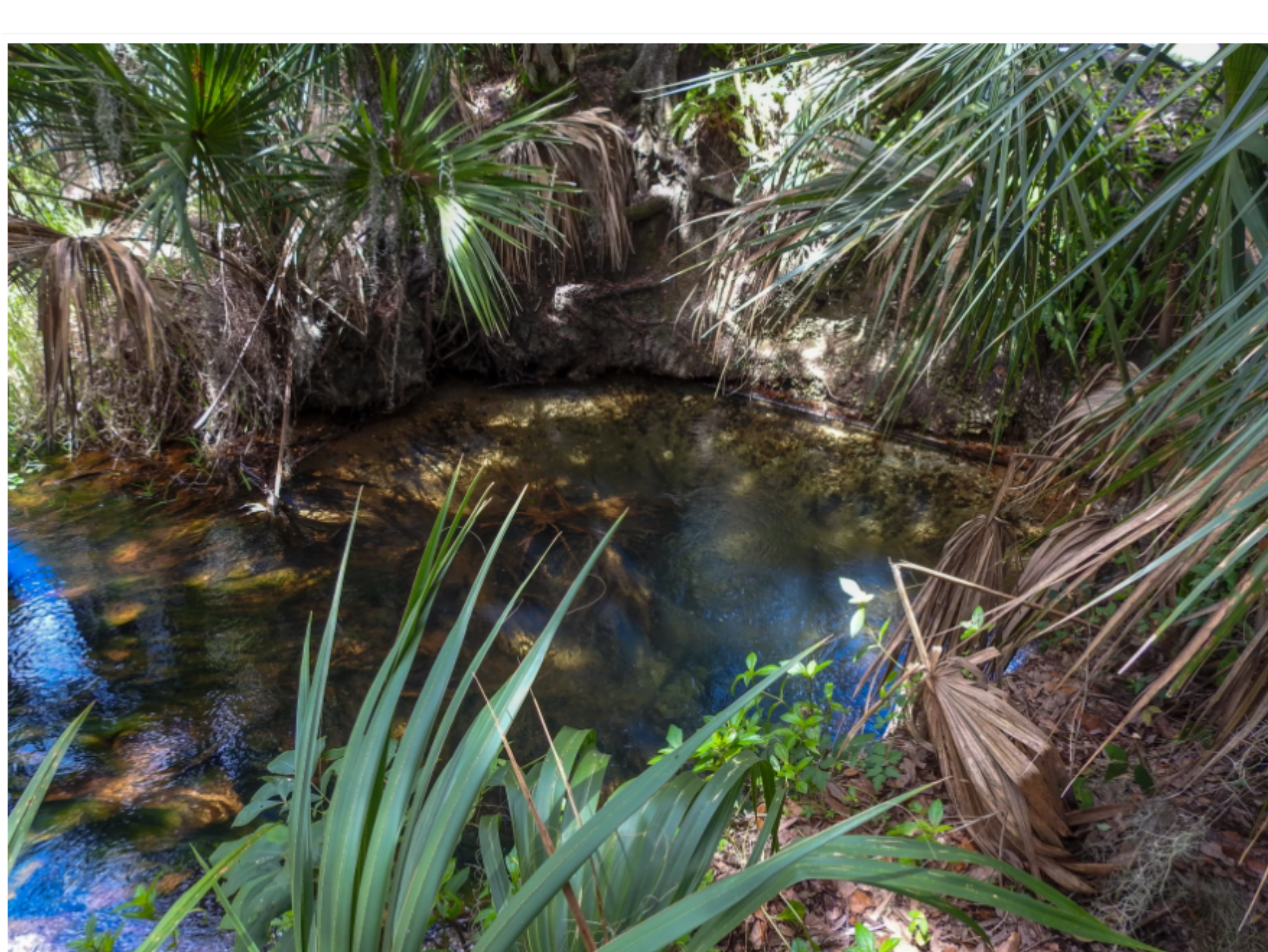
RELATED: [The Environmental Protection Agency delays limits on PFAS in drinking water](#)

Under the new rules, at least for now, the EPA will only enforce limits for two of the six types of PFAS currently regulated by the agency: PFOA and PFOS. Those two chemicals are among the most pervasive types of PFAS found in drinking water.

Water utilities will now have until 2031, instead of 2029, to comply with federal limits on PFOA and PFOS. Meanwhile, the agency will reconsider the limits it had previously set for the other four PFAS covered by the initial rule, [according to EPA Administrator Lee Zeldin](#).

Those limits, finalized last year, were the first legally-enforceable ones for PFAS in drinking water, to which [more than 150 million people in the United States](#) are exposed. Forever chemicals are linked to up to a 33% higher incidence rate of certain cancers in communities exposed to them through drinking water, [according to a recent study](#) from the Keck School of Medicine of the University of Southern California.

In 23 Florida counties, PFOA and PFOS are present in water systems at levels exceeding the federal limit of 4 parts per trillion, [according to one University of Florida study published last year](#). And the state's three most contaminated freshwater springs are all within a 10-mile radius in Deltona, according to [a recent analysis](#) of PFAS levels in Florida's springs.



Joanna Beckes / St. Johns River Water Management District

Volusia County's Gemini Springs are a set of two springs about 100 feet apart, collectively designated as an Outstanding Florida Spring, according to the St. Johns River Water Management District. Among Florida's freshwater springs, Gemini Springs has the third-highest concentration of PFAS or forever chemicals, according to University of Florida research.

The recently-announced change to PFAS limits comes amid [an ongoing lawsuit](#) the EPA is facing from two leading water utility membership groups, the Association of Metropolitan Water Agencies and the American Water Works Association, who argue the existing federal rules are unreasonable and would be impossible to enforce without making water largely unaffordable.

RELATED: [Deadline fast approaching for a costly decision on forever chemicals](#)

[In a statement](#), the plaintiffs welcomed the agency's announcement that utilities will now have more time and flexibility to comply with the limits — but also wrote the change “does not appear to substantially reduce the costs of the PFAS rule.”

James Ferraro, Jr., an environmental lawyer based in Miami, is representing about 20 Florida utilities, including Deltona and DeLand, in a separate lawsuit against manufacturers of products containing PFAS. He is not involved in the pending lawsuit against the EPA.

Ferraro said ideally, there would be absolutely no PFAS allowed in anyone's drinking water. All the utilities he's worked with in Florida want to see the toxic chemicals removed, he said.

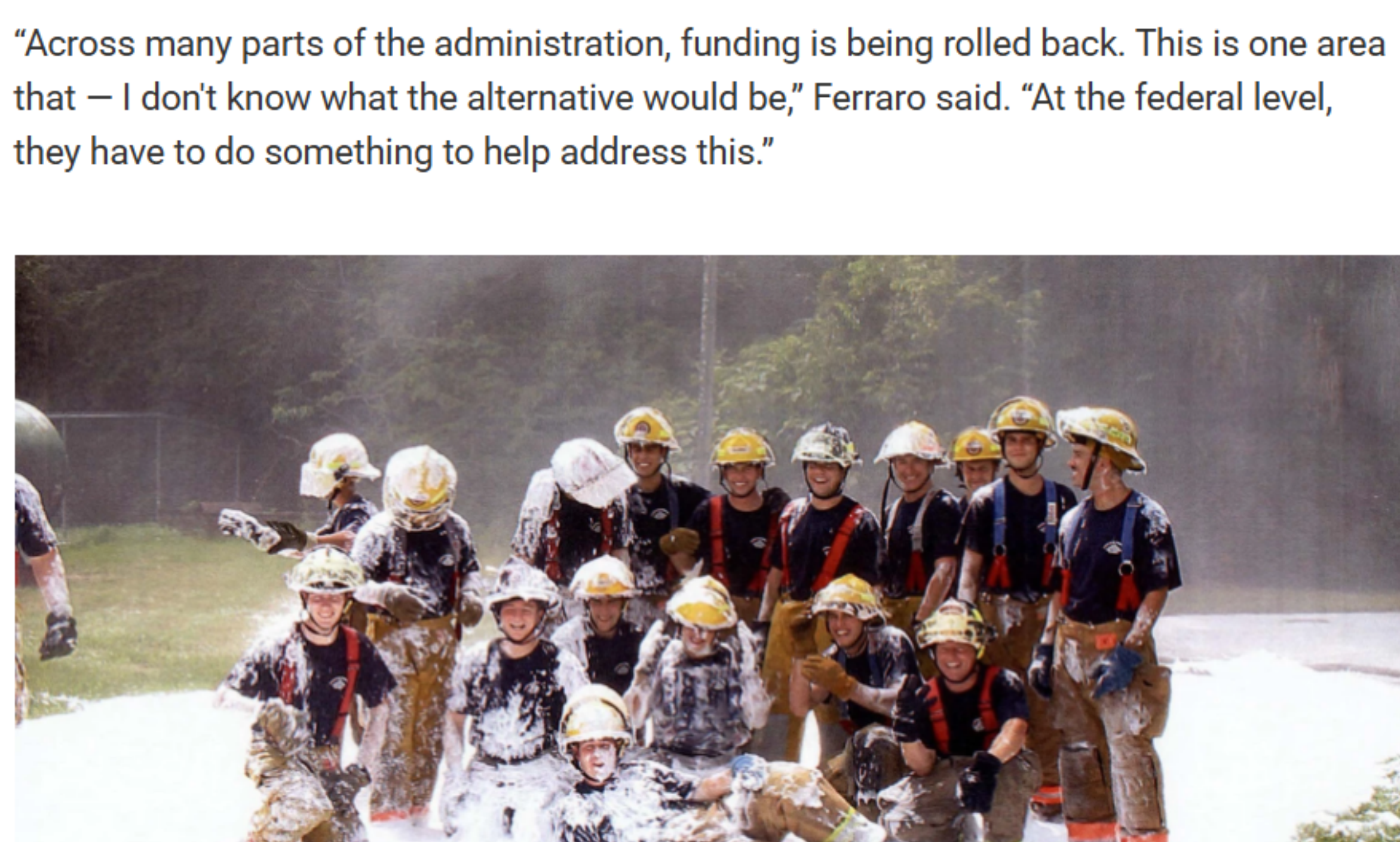
But for community water systems, the reality is that actually achieving that feat will be much easier said than done — even given the EPA's plans to offer additional flexibility.

“Even though two years goes by pretty quick, that helps the public water systems,” Ferraro said. “[But] a lot of them have huge concerns over the cost of this.”

Although it varies for different utilities, for some, the costs will be “astronomical,” Ferraro said, adding: “To fund that gap, it's going to have to be states and the federal government.”

But the future of that type of assistance remains unclear, given widespread federal funding cuts — especially since a lot of state funds ultimately trickle down from the federal government, Ferraro said.

“Across many parts of the administration, funding is being rolled back. This is one area that — I don't know what the alternative would be,” Ferraro said. “At the federal level, they have to do something to help address this.”



Courtesy James Ferraro, Jr.

A group of firefighters graduating from Florida State Fire College in Ocala in the 1990s celebrate by playing in firefighting foam: previously a common practice, before it became widely-understood that many types of fire foam contain PFOS and PFOA linked to cancer.

Suzanne Scheiber runs [Dream Green Volusia](#), an environmental advocacy group. She helped collect water samples from Volusia County for the UF study on PFAS in freshwater springs.

Timing-wise, now that utilities have two more years to comply with PFOA and PFOS limits, “there would be absolutely no excuse or reason [that] a city, any city, shouldn't be able to come up to compliance by then,” Scheiber said.

Still, Scheiber worries about the anticipated cost: “I would say that the expense question is still on the table: will cities be able to afford bringing themselves up to compliance by then?”

As far as the agency's decision to roll back regulations previously enforced for the other four PFAS, Scheiber is more hesitant. Although it will certainly make compliance easier for water utilities, she said, she's worried about the cost to public health.

“I think the public is going to suffer the consequences, medically and physically,” Scheiber said.

For Scheiber, while the manufacturers of PFAS-containing products certainly bear responsibility for adding those chemicals to the environment, water utilities should also be held accountable.

“It is a shared responsibility,” Scheiber said. “Any city or county government selling water is responsible for the quality of the water they sell: to do what is within their power to address the water quality.”

In a statement, a Volusia County spokesman wrote that the county's utility department has participated in multiple rounds of sampling under [the EPA's program](#) to collect data on PFAS and other unregulated contaminants in drinking water. “Volusia County Utilities water treatment facilities are in compliance with all current drinking water regulations and permit requirements,” according to the statement.

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