

IMPORTANT UPDATE: At the October 6th Task Group meeting, all negative ballots submitted during the September ballot were voted non-persuasive.

TASK GROUP UPDATE

On September 1, the ASTM Phase I ESA Task Group completed its final action for E1527: sending the ballot out to the E50 committee with the Task Group's recommendation to find the outstanding negatives to be non-persuasive.

The ballot closed October 1st, and at the October 6th committee meeting, remaining negative comments were voted to be non-persuasive. Pending any appeal by submitters, the publication date for the new standard could be as early as November 1, 2021.

AS FAR AS THE TRANSITION:

"EPs should continue to comply with the E1527-13 while they are transitioning to the new standard, and until the EPA formally references the new standard. What we've done at my firm is to reference conformance with both standards in the interim, so that a client knows that they comply with AAI but are also getting the benefit of the new practice."

Julie Kilgore, Chair of the E 1527 Task Group

NEXT STEPS:

- Final standard published by ASTM and available for download/purchase as early as November.
- ASTM seeks approval of the revised E 1527 by USEPA as sufficient for meeting All Appropriate Inquiry under CERCLA
- Federal Register notice acknowledging E 1527-21 as acceptable means of AAI compliance

DID YOU KNOW... ?

The federal government and 34 states have already released site-specific records on PFAS testing, encompassing thousands of sites nationally. Record counts per state can vary substantially, with some states releasing less than 10 and others many thousands. If the past is any guide, you can expect a continued increase in records over time.

Based on a recent survey by Environmental Business International, PFAS still makes the top half of new services introduced by environmental consulting firms in recent history.

The impact of PFAS and emerging contaminants is gaining the attention of regulators. For example, pending CERCLA legislation directly relates to CERCLA and the Phase I ESA standard. The draft E1527-21 document identifies PFAS as an ESA non-Scope Consideration, part of a class of substances that may warrant scrutiny, "...until such substances are classified as a CERCLA hazardous substance."

CONTENT SPOTLIGHT

[Read our July e-newsletter](#) and other relevant content at the LightBox Resource Center.

How do I buy the standard?
[Click here](#) to link to ASTM to purchase.



UPCOMING:

- **LIGHTBOX WEBINAR: A Dive into E 1527 Revisions Through the Lens of Professional Liability**
OCTOBER 27, 2021 @ 2PM EASTERN TIME

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