

Congress Is Gearing Up to Address PFAS

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Lawmakers in Congress have their sights set on increased regulation of PFAS (per- and polyfluoroalkyl substances).

What are PFAS?

PFAS are a class of widely used chemicals, some of which have been common since the 1940s. They are used in non-stick coatings, stain- and water-repellant fabrics, firefighting foam, and many other applications. Over the past twenty years, evidence has accumulated that some PFAS might pose health risks. PFAS are widely dispersed in the environment, including in surface and groundwater, ambient air, and in the many consumer, commercial, and industrial products that contain them. Most toxicity studies focus on two PFAS – perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) – both of which have been voluntarily phased out by U.S. producers and users, although they can still reach the U.S. in imported products. Some of their replacements – known as Gen X PFAS – also might pose health risks, although potential effects are not nearly as thoroughly studied, and may vary widely among the hundreds of Gen X PFAS currently in use.

EPA Actions

In addition to brokering the [2006 agreement](#) that phased out PFOA and PFOS, EPA has conducted and sponsored research, issued health advisories and other guidance, modified and improved testing methods, conducted monitoring for PFAS in drinking water, and sponsored a [2018 national summit on PFAS](#). However, until recently, EPA has resisted calls to impose enforceable drinking water and other federal environmental standards. After an internal EPA document – leaked in January 2019 – revealed that EPA had no plan to promulgate drinking water standards for PFAS, EPA came under intense criticism from Congress and the public, and committed to publishing [proposed Maximum Contaminant Levels for PFOA and PFOS](#) by the end of the year as part of its [PFAS Action Plan](#).

The 116th Congress

Meanwhile, there are more than two dozen bills currently making their way through Congress that address PFAS in some way. Notable among these are bipartisan efforts:

- Requiring EPA to list all PFAS as CERCLA hazardous substances (S. 638 and H.R. 535)
- Requiring the U.S. Geological Survey to perform a nationwide survey of PFAS contamination in water and soils (S. 950 and H.R. 1976)
- Requiring EPA to promulgate drinking water standards for PFAS (S. 1473)
- Including PFAS in the Toxics Release Inventory program (S. 1507).

Environment and Public Works Committee Chair Senator John Barrasso (R-WY) has made PFAS a priority for his committee work in this Congress, increasing the chances that PFAS regulatory requirements will be enacted by the 116th Congress.

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