

Current Trends in Legislation – June 2022

Article By:

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PFAS Monitoring and PFAS Task Force

- **Federal Level**
- Key point addressed: Provide appropriations for Clean water standards and PFAS testing.

Firefighting Foam

- States Involved: RI, MA
- Key point addressed: Provide grants for PFAS testing as well as banning use of PFAS related to firefighting foam

Packaging Materials

- States Involved: MA
- Key point addressed: Provide extended responsibility on manufactures using PFAS in packaging materials

Signed Into Law

State & Federal

H 7233 (RI)

- **Bill Name:** An act relating to water and navigation – PFAS in drinking water, groundwater, and surface waters
- **Sponsors:** Rep. June Speakman

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- **Introduced:** 1/28/2022
 - **Status:** (6/27/2022) Signed by Governor
 - **Summary:** Provides for the department of health to take action to establish maximum contaminant levels for per- and polyfluoroalkyl substances (PFAS) in drinking water and set interim standards.)

S 2298 (RI)

- **Bill Name:** An act relating to waters and navigation – PFAS in drinking water, groundwater, and surface waters
- **Sponsors:** Sen. Walter Felag
- **Introduced:** 2/15/2022
- **Status:** (6/27/2022) Signed by Governor
- **Summary:** Authorizes DOH to establish maximum contaminate levels of PFSA in drinking water and to set interim standards. Also requires DEM to set standards for PFSA in ground- and surface waters. Defines PFSA as hazardous substances.

Highlighted Bills – PFAS Legislation

Federal

Federal Legislature Bill: H.R. 8239?

- **Bill Name:** Agriculture, Rural Development, Food and Drug Administration, and related Agencies Appropriations Act, 2023
- **Sponsors:** Rep. Sanford Bishop (D) (GA)
- **Introduced:** 6/27/2022
- **Status:** (6/27/22) Placed on Union Calendar, Calendar No. 300
- **Summary:** SEC. 763. There is appropriated to the Department of Agriculture, for an additional amount for “Agricultural Programs—Processing, Research, and Marketing—Office of the Secretary”, \$5,000,000, which shall remain available until expended, for necessary expenses, under such terms and conditions determined by the Secretary, related to testing soil, water, or agricultural products for per- and polyfluoroalkyl substances (PFAS) at the request of an agricultural producer, assisting agricultural producers affected by PFAS contamination with costs related to mitigate the impacts to their operation that have resulted from such contamination and indemnifying agricultural producers for the value of unmarketable crops, livestock, and other agricultural products related to PFAS contaminations.

State

State Bill: H 8376 (RI)

- **Bill Name:** House resolution creating a special legislative commission to study and provide recommendations on the issue of PFAS in firefighter gear
- **Sponsors:** Rep. June Speakman
- **Introduced:** 6/24/2022
- **Status:** (6/24/2022) House read and passed
- **Summary:** An act for researching the development of alternatives to this gear; Recommending a timeline for replacing gear statewide; and Recommending a potential strategy for funding the replacement gear from state or federal funds.

State Bill: HB 4820 (MA)

- **Bill Name:** An act to ban the use of PFAS in food packaging
- **Sponsors:** Joint Committee on Public Health
- **Introduced:** 6/2/2022
- **Status:** (6/2/2022) Reported from the committee on Public Health
- **Summary:** No person or entity shall manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in the commonwealth food packaging to which perfluoroalkyl and polyfluoroalkyl substances have been intentionally added in any amount. If passed, will take effect on January 1, 2023.

State Bill: HB 4818 (MA)

- **Bill Name:** An act restricting toxic PFAS chemicals in consumer products to protect our health
- **Sponsors:** Joint Committee on Public Health
- **Introduced:** 6/2/2022
- **Status:** (6/2/2022) Reported from the committee on Public Health
- **Summary:** Effective January 1, 2023, no person shall offer for sale, sell, or distribute in the commonwealth any of the following products to which PFAS substances have been intentionally added or, if not intentionally added, in which PFAS substances are present and measurable by testing for total fluorine at a level greater than 1 part per million: (1) child

passenger restraints; (2) cookware; (3) fabric treatments; (4) personal care products; (5) rugs and carpets; and (6) upholstered furniture (7) children's products.

- **Notes:** House filed same bill under HB 4851

State Bill: SB 2923 (MA)

- **Bill Name:** An act to save recycling costs in the commonwealth
- **Sponsors:** Joint Committee on Environment, Natural Resources and Agriculture
- **Introduced:** 6/16/2022
- **Status:** (6/16/2022) Joint Committee on Environment, Natural Resources and Agriculture
- **Summary:** PFAS related language – To minimize the extraction, manufacture, use, and end-of-life-management impacts of covered materials, the schedule of adjustments must be structured to incent reduced use of toxic substances (PFAS included) in covered materials, which raise the lifecycle environmental and societal costs of packaging.

State Bill: SB 2951 (MA)

- **Bill Name:** An act financing the general government infrastructure of the Commonwealth
- **Sponsors:** Senate Committee of Ways and Means
- **Introduced:** 6/16/2022
- **Status:** (6/16/2022) Text of S2926, printed as amended
- **Summary:** Provides appropriation funds for multiple towns in Massachusetts to assist with PFAS water treatment systems.

State Bill: A 4125 (NJ)

- **Bill Name:** Prohibits sale, manufacture, distribution, and use of firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances
- **Sponsors:** Assemb. Shama Haider
- **Introduced:** 6/2/2022
- **Status:** (6/2/2022) Introduced, referred to assembly Environment and Solid Waste Committee
- **Summary:** Beginning two years after the effective date of this act, no person shall use, or shall sell, offer for sale, manufacture, or distribute for sale or use in the State any class B firefighting foam containing intentionally added PFAS.

Updates on Previously Highlighted Bills

State

State Bill: S 2044 (RI)

- **Bill:** An act relating to Health and Safety – Toxic Packaging Reduction Act
- **Sponsors:** Sen. James Seveney
- **Introduced:** 1/25/2022
- **Status:** (6/28/2022) Transmitted to Governor.
- **Summary:** Prohibits the sale or promotional distribution of any food package in Rhode Island which contains perfluoroalkyl and polyfluoroalkyl substances (PFAS), effective January 1, 2024.)

State Bill: H 1095 (NC)

- **Bill:** PFAS Pollution and Polluter Liability
- **Sponsors:** Davis
- **Introduced:** 5/26/2022
- **Status:** (6/8/2022) Re-ref to the Com on Environment, if favorable, Judiciary 1, if favorable, Rules, Calendar, and Operations of the House
- **Summary:** An act to protect the citizens of North Carolina from drinking water contaminated by Genx and other PFAS compounds.

State Bill: H 7428 (RI)

- **Bill:** An act relating to health and safety – toxic packaging reduction act
- **Sponsors:** Rep. Terri Cortvriend
- **Introduced:** 2/11/2022
- **Status:** (6/24/2022) Transmitted to Governor
- **Summary:** Prohibits the sale or promotional distribution of any food package containing perfluoroalkyl and polyfluoroalkyl substances (PFAS), effective January 1, 2024. Provisions of § 23-18.13-3(g)(3) sunset on July 1, 2027.

State Bill: HB 1440 (NH)

- **Bill:** Relative to surface water quality standards for perfluorinated chemicals
- **Sponsors:** Rep. Robert Cushing
- **Introduced:** 12/1/2021
- **Status:** ((6/6/2022) Interim Study Full Committee Work Session: 6/22/2022
- **Summary:** AN ACT relative to surface water quality standards for perfluorinated chemicals.

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