



# PFAS: Overview of Federal and State Actions

Tuesday, August 3, 2021

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# Strengthening the legislative institution



# How NCSL Strengthens Legislatures



## Policy Research

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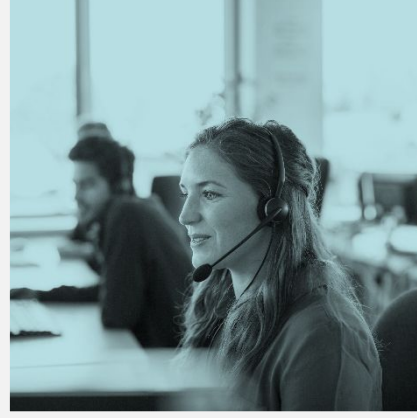
NCSL provides trusted, nonpartisan policy research and analysis



## Connections

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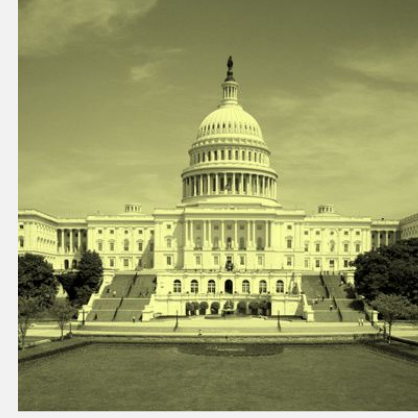
NCSL links legislators and staff with each other and with experts



## Training

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NCSL delivers training tailored specifically for legislators and staff



## State Voice in D.C.

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NCSL represents and advocates on behalf of states on Capitol Hill



## Meetings

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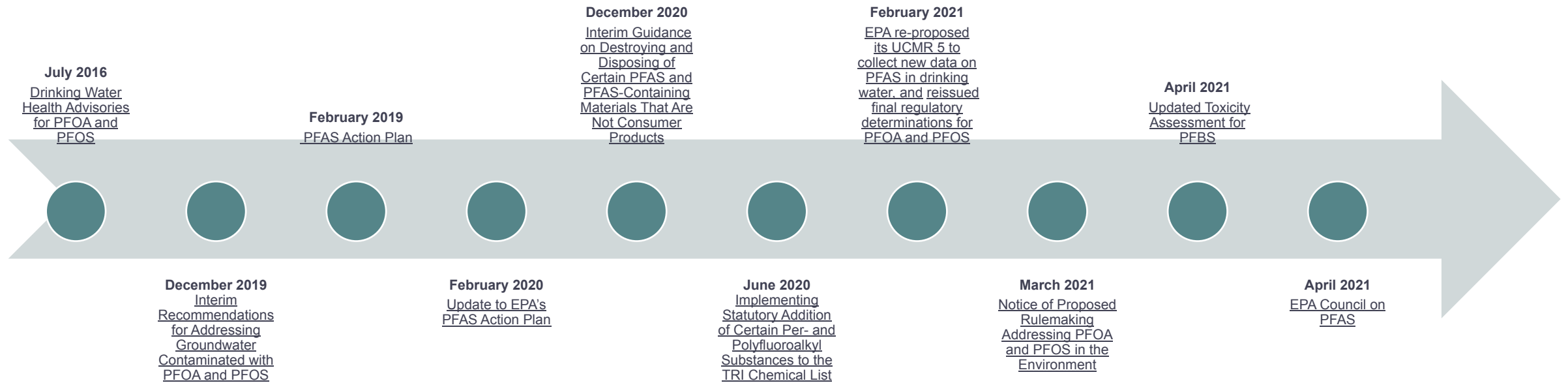
NCSL meetings facilitate information exchange and policy discussions

# Federal PFAS Action

- PFAS-Related Administrative Actions
- Congressional PFAS-Related Actions



# PFAS-Related Administrative Actions



# Congressional PFAS-Related Actions

## Public Law

- American Rescue Plan Act of 2021 (Public Law No: 117-2)
- Consolidated Appropriations Act of 2021 (Public Law No: 116-260)
- National Defense Authorization Act for Fiscal Year 2021 (Public Law No: 116-283)
- National Defense Authorization Act for Fiscal Year 2020 (Public Law No: 116-92)

## 117<sup>th</sup> Congress

- PFAS Action Act of 2021 (H.R. 2467, 241-183)
- Bipartisan Infrastructure Framework
  - Senate Drinking Water and Wastewater Infrastructure Act
  - House Water Quality Protection and Job Creation Act



# State PFAS Action

- State Action on PFAS
- 2021 Enacted Legislation
- State Actions to Address PFAS
  - Drinking Water
  - Firefighting Foam
  - Consumer Products and Food Packaging
  - Landfills and Wastewater Treatment
  - Cleanup and Remediation
  - Addressing Knowledge Gaps
  - Increasing Accountability
- PFAS & Environmental Justice



# State Action on PFAS

## State legislative activity has increased

- 2019—106 bills considered
- 2020—180 bills considered
- 2021—196 bills considered

## Categories

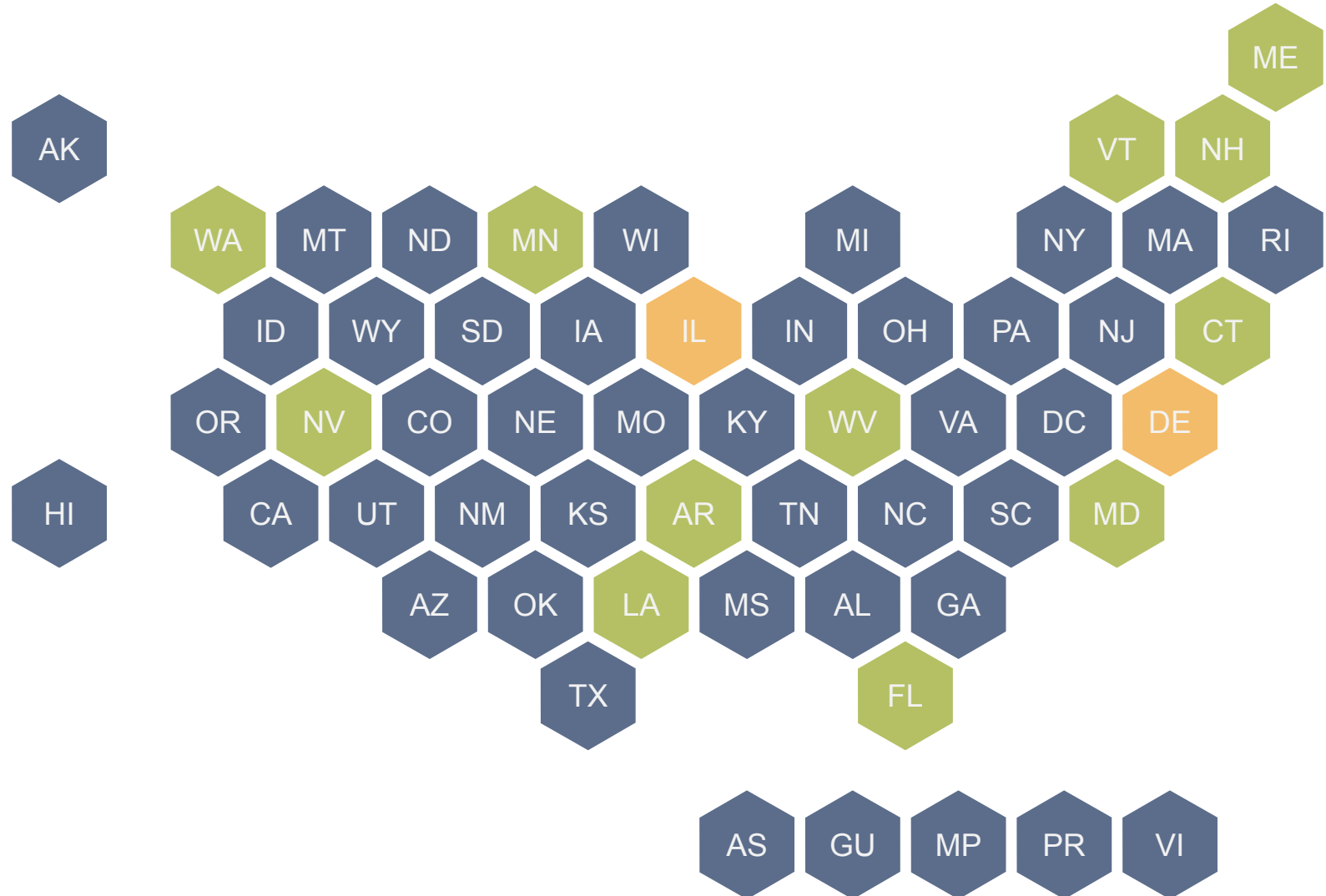
- Drinking water
- Firefighting foam
- Food packaging and consumer products
- Landfills and wastewater
- Cleanup and remediation

See NCSL [LegisBrief](#) and [webpage](#) on PFAS



# Enacted Legislation 2021

- Enacted
- To Governor



- Adopting maximum contaminant levels (MCL)
  - States with final or proposed MCLs: MA, MI, NH, NJ, NY, VT, WI
- Health guidance/ notification requirements
- Testing and monitoring of water supplies
  - Michigan PFAS Action Response Team statewide study and sampling of drinking water supplies



## PFAS in Drinking Water

# State Action to Address PFAS

## Firefighting Foam

- Usage limits for firefighting foam containing PFAS
- Reporting requirements for usage
- Takeback and disposal programs

## Consumer Products and Food Packaging

- Increasing manufacturer transparency
- Bans on PFAS in products:
  - Furniture and carpeting
  - Food containers and packaging
  - Cosmetics



# State Action to Address PFAS

## Landfills and Wastewater Treatment

- Addressing landfill leachate
  - Rhode Island- Considered bill directing Dept. Of Environmental Management to adopt standards for monitoring at landfills (Pending, 2021)
- PFAS in sludge/biosolids
  - Minnesota- Funding for wastewater treatment plants to develop strategies to manage PFAS in biosolids (Enacted, 2021)

## Cleanup and Remediation

- Colorado- PFAS Cash Fund for takeback program and grant program (Enacted, 2020)
- Maine- Created the Land Application Contaminant Monitoring Fund (Enacted, 2021)
- Washington- Funding to implement recommendations from chemical action plans (Enacted, 2021)

# State Action to Address PFAS

## Addressing Knowledge Gaps

- Working with public institutions on research initiatives
  - North Carolina- PFAS Testing Network
- Establishing task forces and working groups to identify contamination and develop action plans
- Assessing impacts on specific groups
  - Maine- Study on farmers impacted by PFAS (2021)

## Increasing Accountability

- Requiring polluters to pay
- Directing corporations to address contamination caused by PFAS usage/discharges
  - New Jersey-First state to issue a statewide directive (2019)
- Extending statutes of limitations for civil action
- Lawsuits against manufacturers

# PFAS and Environmental Justice

- Low-income households and people of color are more likely to live near a PFAS contaminated site
- Addressing community disparities in PFAS contamination
  - Illinois HB 4039 (2021, Pending)
  - Vermont SB 148 (2021, Pending)





# Questions?

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