



July 2021
Fact Sheet for H.R. 2467
The PFAS Action Act of 2021

COMMITTEE ON ENERGY & COMMERCE

H.R. 2467, the PFAS Action Act of 2021, is comprehensive legislation to regulate PFAS chemicals, clean up contamination, and protect public health.

PFAS chemicals are an urgent public health threat. PFAS are persistent, bioaccumulative, and toxic, and communities across the country are discovering PFAS contamination in their air, land, and water.

- Per- and poly- fluoroalkyl substances (referred to as PFAS) are a class of man-made chemicals defined by the presence of fluorinated carbon atoms.
 - The carbon-fluorine bond is the strongest carbon bond possible. Because of this bond, these chemicals are extremely persistent in the environment and are known to bioaccumulate in humans and wildlife. This is why they are called “forever chemicals.”
- PFAS have long been linked with adverse health effects including cancer, immune system effects, infertility, impaired child development, high cholesterol, and thyroid disease.
- Contamination has been found across the country, much of it around industrial facilities and Department of Defense installations. According to monitoring by the Environmental Protection Agency (EPA), millions of Americans are exposed to unsafe levels of PFAS through their drinking water.

The Trump EPA failed to address the threat of PFAS chemicals. EPA and industry have known about the risks from PFAS chemicals for decades but have failed to act to prevent the spread of this contamination.

- Industry studies showing adverse health effects as early as 1950 have now been made public.
- EPA has recognized the risk of these chemicals since at least 1995, when the Agency amended its polymer exemption to exclude new PFAS chemicals.
- Despite that knowledge, EPA did not take action on PFOA and PFOS until 2006, and then relied on a voluntary industry phase out instead of using the regulatory tools available.
- EPA has allowed new PFAS onto the market, some without any review under “low volume exemptions” to the Toxic Substances Control Act.
- In 2019, The Trump EPA issued a “PFAS Action Plan” that did not take needed action to address cleanup of contaminated sites, set limits on PFAS in drinking water, or even require reporting of PFAS releases. The only commitments made in the action plan were to make some determinations by the end of 2019 – commitments that were not met.

- In April 2021, EPA announced changes to the agency's review process of low volume exemptions (LVEs) of PFAS that will protect Americans and the environment from the potentially harmful effects of PFAS. These changes will allow EPA to deny LVE requests when they are found to cause serious human health or environmental effects, or when toxicity or exposures cannot be effectively reviewed in 30 days.

H.R. 2467 will provide the protections impacted communities need quickly and for the long term. The PFAS Action Act of 2021 would require EPA to use tools under several environmental statutes to:

- Stem the flow of PFAS contamination into the environment by requiring cleanup of sites contaminated with PFOA and PFOS, setting air emission limits, prohibiting unsafe incineration of PFAS, and limiting the introduction of new PFAS chemicals into commerce;
- Identify health risks by requiring comprehensive health testing for all PFAS, reporting of PFAS releases, and monitoring for PFAS in drinking water;
- Inform communities of PFAS risks by requiring the EPA Administrator to develop a risk-communication strategy and establish a website with information on testing of household well water; and
- Limit human exposure to PFAS by requiring a drinking water standard for PFAS that protects public health, including the health of vulnerable subpopulations like pregnant women, infants, and children, and holding polluters accountable. The legislation also provides grants to impacted water systems, creates a voluntary label for cookware that is PFAS free, provides guidance for first responders to limit their exposures, and requires effluent limitations and pretreatment standards for PFAS introduction or discharge.

The PFAS Action Act will generate and rely on science to address PFAS risks. To keep science at the forefront of decision-making, the bill directs EPA to:

- Address the two most studied PFAS, PFOA and PFOS, right away while requiring the development of needed health and safety studies on all other PFAS;
- Identify relevant subclasses of PFAS and tailor testing for those classes, recognizing that different types of PFAS may pose different risks and require different risk management approaches; and
- Meet deadlines for further regulatory decisions based on when that scientific data should be available, without predetermining what those decisions should be.