



Information Alert

State-Federal Relations Division

EPA Releases PFAS Action Plan

Feb. 19, 2019

On Feb. 14, the Environmental Protection Agency (EPA) released its [Action Plan for Per-and Polyfluoroalkyl Substances](#), more commonly referred to as PFAS. The action plan identifies short-term solutions for addressing these chemicals, and long-term strategies to help provide "the tools and technologies states, tribes, and local communities need, "to provide safe drinking water to their constituents."

PFAS are a group of man-made chemicals that includes perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), GenX and many others. The set of chemicals have been manufactured and used since the 1940's and can most often be found in firefighting foam, nonstick products, stain-and water-repellent fabrics. The chemicals are persistent in the environment and in the human body, meaning they don't break down and can accumulate over time causing adverse health effects such as low infant birth weights, cancer and thyroid hormone disruptions.

In 2006 EPA invited eight major chemical manufacturers to join in a global [PFOA Stewardship Program](#) in which the manufacturers agreed to eliminate the use of PFOA and PFOA-related chemicals in both their products and their emissions. Although PFOA and PFOS are no longer manufactured in the United States, they are still produced internationally and can be imported into the United States via consumer goods. Following that partnership, in May 2016 EPA published a [health advisory](#) on PFOA and PFOS establishing "safe" levels of the chemicals at no more than 70 parts per trillion in drinking water.

In May 2018 EPA held a two-day [National Leadership Summit](#) on PFAS that brought more than 200 federal, state and local leaders together from across the nation to address the use of these chemicals. Following the summit, the agency hosted a series of visits in states - New Hampshire, Pennsylvania, Colorado, North Carolina, Kansas and Michigan - most impacted by PFAS. The Action Plan unveiled last week is a direct result of the feedback received at those meetings.

The PFAS action plan describes both long- and short-term actions that EPA is taking surrounding PFAS, which includes:

- Developing a maximum contaminant level process outlined in the [Safe Drinking Water Act](#) for PFOA and PFOS with plans to propose a regulatory determination by the end of 2019.
- Continuing the regulatory process to list PFOA and PFOS as hazardous substances, and issue interim groundwater cleanup recommendations for affected sites.
- Assisting states in PFAS enforcement activities; including PFAS in national drinking water monitoring under the next [Unregulated Containment Monitoring Program](#) and consider the chemicals for listing in the [Toxic Release Inventory](#).
- Developing new methods to better detect PFAS in drinking water, soil and groundwater and producing new technologies and treatment options to remove PFAS from affected drinking water; and developing a risk communication toolbox for states, tribes and local partners to communicate with the public.

Thus far 19 states have acted on their own, with many setting their own standards for the chemicals which are as stringent as or more stringent than EPA's, and others enacting legislation ranging from bans on the use of these chemicals, to improving testing for the chemicals, and cleanup efforts. For an overview on what states are doing, read NCSL's State Legislatures Magazine [January 2019 article](#), and see [NCSL's Environmental Health State Bill Tracking Database](#).

For more information on EPA's PFAS Action Plan please contact NCSL staff, [Kristen Hildreth](#) or [Ben Husch](#), and for more information on what states are currently doing surrounding the issue, please contact NCSL staff, [Doug Farquhar](#).