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Fact Sheet

H.R. 535, the PFAS Action Act of 2019

COMMITTEE ON ENERGY & COMMERCE

H.R. 535, the PFAS Action Act of 2019, 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.

EPA is failing to address the threat of PFAS chemicals. EPA and industry have known about the risks from PFAS chemicals for decades, but has 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 is continuing to allow new PFAS onto the market, some without any review under “low volume exemptions” to the Toxic Substances Control Act.
- Last year, 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.

H.R. 535 will provide the protections impacted communities need quickly and for the long term.

The PFAS Action Act of 2019 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;
- 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, and provides guidance for first responders to limit their exposures.