August 3, 2022

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Regan:

Since your confirmation, the Environmental Protection Agency (EPA) has taken the first truly meaningful actions to protect human health and our environment from per-and polyfluoroalkyl substances (PFAS), and we thank you for your leadership. But aggressive action is still needed to jump start the clean-up of contaminated sites nationwide. Therefore, we urge the EPA to move swiftly to finally designate the two most notorious and common “forever chemicals”—perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS)—as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

In October 2021, President Biden announced “accelerated efforts” across the government to tackle PFAS, including plans to propose PFOA and PFOS as hazardous substances.1 We appreciate the urgency with which your agency is recognizing the contamination crisis caused by decades of unregulated releases of these toxic chemicals. Additionally, we were pleased to hear the Environmental Protection Agency (EPA) is on track to decide on CERCLA designation for these chemicals in its PFAS Strategic Roadmap.2

PFAS pollution threatens thousands of communities, including military sites and low-income and communities of color who, through no fault of their own, are confronting harmful health effects and significant clean-up cost. But the EPA has yet to designate PFOA and PFOS as hazardous substances. Further delay will pose unacceptable, continued risks to these communities and the surrounding environment.

As you know, the designation of a substance as hazardous under CERCLA does not ban its use, and many such chemicals to this day remain in commerce and are widely used in commercial products. However, coupled with other broad-based actions needed to tackle additional PFAS, the designation of PFOA and PFOS as hazardous substances is an important first step toward helping hold polluters accountable, encouraging more responsible stewardship of forever chemicals, and cleaning up contaminated sites.


We are grateful for your commitment and efforts to address the PFAS crisis in the United States. As more and more communities nationwide discover PFAS contamination, the greater the need grows for federal action. We urge you and the administration to follow through on your commitment by designating the two most harmful “forever chemicals”—PFOA and PFOS—as the hazardous substances we know they are as expeditiously as possible.

Thank you for your attention and consideration of this important request.

Sincerely,

Debbie Dingell
Member of Congress

Frank Pallone, Jr.
Member of Congress
Chair, Committee on Energy and Commerce

Paul D. Tonko
Member of Congress

Eleanor Holmes Norton
Member of Congress

Nanette Diaz Barragán
Member of Congress

Richard E. Neal
Member of Congress

Haley M. Stevens
Member of Congress

Stephen F. Lynch
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Albio Sires  
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Mark Pocan  
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Marcy Kaptur  
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John Yarmuth  
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Tom Malinowski  
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Barbara Lee  
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Steve Cohen  
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Danny K. Davis  
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Sheila Jackson Lee  
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Bobby L. Rush  
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Anthony G. Brown  
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Katherine M. Clark  
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John P. Sarbanes  
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Madeleine Dean  
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Chellie Pingree  
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Bonnie Watson Coleman  
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A. Donald McEachin  
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Andy Kim  
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John B. Larson  
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Mark DeSaulnier  
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David J. Trone
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Karen Bass
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Peter Welch
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Deborah K. Ross
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Dwight Evans
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Joe Neguse
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Robert C. "Bobby" Scott
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Diana DeGette
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Peter A. DeFazio
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Mike Doyle
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Susie Lee
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Conor Lamb
Member of Congress

Donald Norcross
Member of Congress

Abigail Davis Spanberger
Member of Congress

CC: Shalanda Young, Director, Office of Management and Budget