

“FOREVER CHEMICALS”

Addressing PFAS Pollution in Water

What Are PFAS?

Per- and polyfluoroalkyl substances (PFAS) are a family of over 5,000 human-made chemicals used in items from toys and personal care products to firefighting foam and food packaging. They are widely used for their ability to repel oil and water. PFAS are made with the strongest chemical bond, making them difficult to break down - hence they are known as “forever chemicals”.

Why Are They Dangerous?

- 97% of Americans are estimated to have PFAS in their blood. Even at extremely low levels, PFAS can be harmful and have been linked to kidney cancer, testicular cancer, liver damage, impaired fetal development, and reduced effectiveness to vaccines.
- PFAS are chemically designed to not break down, building up in our bodies and the environment.
- The chemical industry has used and released PFAS into the environment since the 1950s, polluting drinking water sources across the country.

How Are We Exposed?

- Drinking water contaminated with PFAS;
- Use of personal care products on our bodies and skin;
- Inhaling PFAS through air emissions; and
- Consuming PFAS-contaminated food.

PFAS In Our Water

Millions of people are exposed to PFAS through their drinking water while communities of color are disproportionately impacted. PFAS contamination in our water is caused primarily by industrial discharge. PFAS are highly mobile and can travel far from their source. PFAS water pollution also comes from landfills, wastewater treatment plants, and the legacy use of PFAS-containing firefighting foam at military sites across the country.

Since 2001, the U.S. Environmental Protection Agency (EPA) knew PFAS was contaminating our drinking water. Despite significant evidence and the well-studied health impacts of PFAS, 20 years later, the agency still has not set a national drinking water standard under the Safe Drinking Water Act. Though the EPA issued a Lifetime

ITEMS WITH PFAS



**Waterproof
Clothing**



**Nonstick
Cookware**



**Firefighting
Foam**



**Stain-
Resistant
Products**



**Food
Packaging**



**Household
Items**

The PFAS Cycle



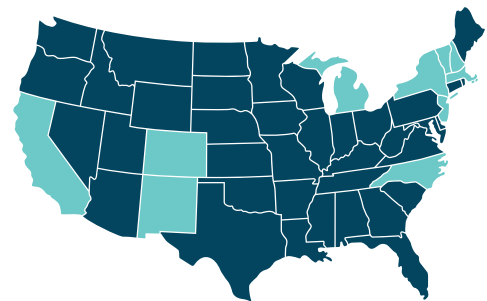
Health Advisory for the two most notorious PFAS - PFOA and PFOS, at 70 parts per trillion (ppt), this health advisory is unenforceable and does not address the thousands of other PFAS, including the approximate 600 that are active in commerce.

Although at least 475 industrial facilities are known or suspected to produce or use PFAS, the EPA has not protected communities downstream or implemented regulations under the Clean Water Act for industrial discharges. PFAS discharges are legal if they have been approved by a permitting agency, and the discharger installs the best available technology to control its pollution. EPA must enforce these requirements while developing nationwide effluent limitations.

States Addressing The PFAS Drinking Water Crisis

States have taken action to hold polluters accountable for PFAS contamination. Understanding the significant health risks associated with PFAS and the impacts on the most vulnerable populations, many states have started the process or already set their own drinking water standards for individual or combined PFAS.

- California, which has the lowest enforceable standard or maximum contaminant level (MCL) of 5.1 ppt for PFOA
- Michigan, with an MCL of 6 ppt for PFNA
- New York, with an MCL of 10 ppt for PFOA and PFOS



Other states have proposed or adopted guidelines or limits for PFAS in drinking water, including Colorado, New Hampshire, Massachusetts, New Jersey, New York and Vermont. Although some states have adopted drinking water standards, none have used their full authority to control PFAS at the source.

In North Carolina, the Southern Environmental Law Center and state environmental agency reached an agreement with the Chemours Company that has resulted in the installation of groundbreaking controls that can nearly eliminate PFAS in wastewater.

What Can Congress Do?

Lack of clear direction from the EPA and inadequate state use of existing authority leaves communities in crisis and left to face the myriad of health risks associated with toxic PFAS.

1) Co-sponsor PFAS legislation:

H.R. 3622 / S. 1907, Clean Water Standards for PFAS Act of 2021, introduced by Senator Gillibrand and Representative Pappas.

- Require the EPA to develop water quality criteria under the Clean Water Act for all measurable PFAS or classes of PFAS within two years, and develop effluent limitations guidelines and standards for all measurable PFAS or classes of PFAS within four years. This includes establishing pretreatment standards to prevent the introduction of PFAS into publicly-owned water treatment facilities, stopping PFAS at the source before it gets into the municipal water system.
- Identifies nine priority industry categories that EPA must establish standards for including: Organic Chemicals, Plastics and Synthetic Fibers (OCPSF); Pulp, paper, and paperboard; Textile mills; Electroplating; Metal finishing; Leather tanning and finishing; Paint formulating; Electrical and electrical components; and Plastics molding and forming.
- Authorize \$200 million per year for grants to assist Publicly Owned Treatment Works with implementation. The grant program would be run by EPA and funding would be appropriated through Fiscal Years 2022-2026.

H.R. 2457, PFAS Action Act of 2021, introduced by Representatives Dingell and Upton.

- Require the U.S. Environmental Protection Agency (EPA) to establish a national drinking water standard for PFOA and PFOS within two years that protects public health, including the health of vulnerable subpopulations.
 - Designate PFOA and PFOS chemicals as hazardous substances within one year and requires EPA to determine whether to list other PFAS within five years.
 - Designate PFOA and PFOS as hazardous air pollutants within 180 days and requires EPA to determine whether to list other PFAS within five years.
 - Require EPA to place discharge limits on industrial releases of PFAS and provides \$200 million annually for wastewater treatment.
 - Prohibit unsafe incineration of PFAS wastes and places a moratorium on the introduction of new PFAS into commerce.
 - Require comprehensive PFAS health testing.
 - Create a voluntary label for PFAS in cookware.
- 2) **Urge EPA to use a class-based approach** when regulating PFAS under the Safe Drinking Water Act or Clean Water Act.
- 3) **Join the House PFAS Task Force** led by Reps. Dan Kildee (D-MI) and Brian Fitzpatrick (R-PA) to urgently address the public health threat of PFAS to better protect communities from the harmful effects of these chemicals.

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