

138TH CONGRESS
1ST SESSION

H.R. 14

To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl as hazardous air and substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

IN THE CONGRESS OF THE UNITED STATES

FEBRUARY 22ND, 2021

Mr. LIGHTWOOD of NEW YORK (for himself, Mr.
KYPELLON, Mr. FRANCIS, Mr. SOLOMON, Mr. MARK,
Mr. LEGO,) introduced the following bill;

A BILL

To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl as hazardous air and substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Be it enacted by the House of Representatives in Congress Assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “PFAS Designation Act of 2021”.

SEC. 2. FINDINGS.

Congress Finds that—

- (1) PFAS have been found in the blood of 98 percent of individuals in the United States.
- (2) PFAS chemicals have so far been confirmed in the groundwater or tap water of more than 1,400 communities.
- (3) According to sampling data, scientists estimate that more than 100,000,000 individuals in the United States may be drinking water contaminated with PFAS.

- (4) PFAS can be found in food, commercial household products, the Workplace, drinking water and living organisms (i.e. Fish, Humans).
- (5) The Environmental Protection Agency was first notified about the health risks posed by PFAS in 1998, but has yet to set a drinking water standard or restrict ongoing releases in the air and water;
- (6) PFAS have been manufactured and used in a variety of industries around the globe, including in the United States since the 1940s. PFOA and PFOS have been the most extensively produced and studied of these chemicals. Both chemicals are very persistent in the environment and in the human body, meaning they don't break down and they can accumulate over time. There is evidence that exposure to PFAS can lead to adverse human health effects.
- (7) Studies indicate that PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals. Both chemicals have caused tumors in animals as well.
- (8) There are consistent findings of increased cholesterol levels among exposed populations, with more limited findings related to:
 - (a) low infant birth weights,
 - (b) effects on the immune system,
 - (c) cancer (for PFOA), and
 - (d) thyroid hormone disruption (for PFOS).
- (9) Although levels have fallen, studies show that even low levels show health risks. Regulating PFAS is extremely important to protect and preserve America's ecosystem, and maintain a healthy population.

SEC. 3. DEFINITIONS.

In this Act—

- (1) ADMINISTRATOR.— The term “Administrator” means the Administrator of the Environmental Protection Agency
- (2) PFAS.—The term “PFAS” means perfluoroalkyl and polyfluoroalkyl substances that are man-made chemicals with at least 1 fully fluorinated carbon atom.

SEC. 4. DESIGNATION AS A HAZARDOUS SUBSTANCE.

IN GENERAL.— No later than 100 days after the date of enactment of this Act, the Administrator shall designate all PFAS as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ([42 U.S.C. 9602\(a\)](#)).

SEC. 5. DESIGNATING OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS HAZARDOUS AIR POLLUTANTS.

- (a) DESIGNATION.—No later than 100 days after the date of enactment of this Act, the Administrator shall issue a final rule adding, as a class, all PFAS to the list of hazardous air pollutants under section 112(b) of the Clean Air Act ([42 U.S.C. 7412\(b\)](#)).
- (b) SOURCES CATEGORIES.—No later than 6 months after the final rule is issued under subsection (a), the Administrator shall revise the list under section 112(c)(1) of the Clean Air Act

([42 U.S.C. 7412\(c\)\(1\)](#)) to include categories and subcategories of major sources and area sources of PFAS listed pursuant to that final rule.

SEC. 6. ENACTMENT.

EFFECTIVE DATE.—This Act shall come into effect immediately upon passage.
