

PFAS Act

[Public Law 117–248]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 117–248. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [6 U.S.C. 101 note] SHORT TITLE.

This Act may be cited as the “Protecting Firefighters from Adverse Substances Act” or the “PFAS Act”.

SEC. 2. [6 U.S.C. 323] GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel on training, education programs, and best practices;

(2) make available a curriculum designed to—

(A) reduce and eliminate exposure to per- and polyfluoroalkyl substances (commonly referred to as “PFAS”) from firefighting foam and personal protective equipment;

(B) prevent the release of PFAS from firefighting foam into the environment; and

(C) educate firefighters and other emergency response personnel on foams and non-foam alternatives, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

(b) CURRICULUM.—

(1) IN GENERAL.—For the purpose of developing the curriculum required under subsection (a)(2), the Administrator of the United States Fire Administration shall make recommendations to the Secretary of Homeland Security as to the content of the curriculum.

(2) CONSULTATION.—For the purpose of making recommendations under paragraph (1), the Administrator of the United States Fire Administration shall consult with interested entities, as appropriate, including—

(A) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(B) impacted communities dealing with PFAS contamination;

(C) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(D) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(E) State fire training academies;

(F) State fire marshals;

(G) manufacturers of firefighting tools and equipment;

and

(H) any other relevant entities, as determined by the Secretary of Homeland Security and the Administrator of the United States Fire Administration.

(c) REVIEW.—Not later than 3 years after the date on which the guidance and curriculum required under subsection (a) is issued, and not less frequently than once every 3 years thereafter, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and curriculum and, as appropriate, issue updates to the guidance and curriculum.

(d) APPLICABILITY OF FACCA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to this Act.

(e) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require the Secretary of Homeland Security to promulgate or enforce regulations under subchapter II of chapter 5 of title 5, United States Code (commonly known as the “Administrative Procedure Act”).