

State Action on PFAS

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GSA GAP FAC
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PFAS: The Basics

- Class of chemicals that are very persistent
- Used for their grease- and water-proofing properties, but there are hundreds of other applications
 - Firefighting foam
 - Food packaging
 - Textiles- including carpets, furniture, clothing
 - Waxes/polishes
 - Cosmetics & personal care products
 - Industrial manufacturing



Linda Birnbaum: Former Director NIEHS

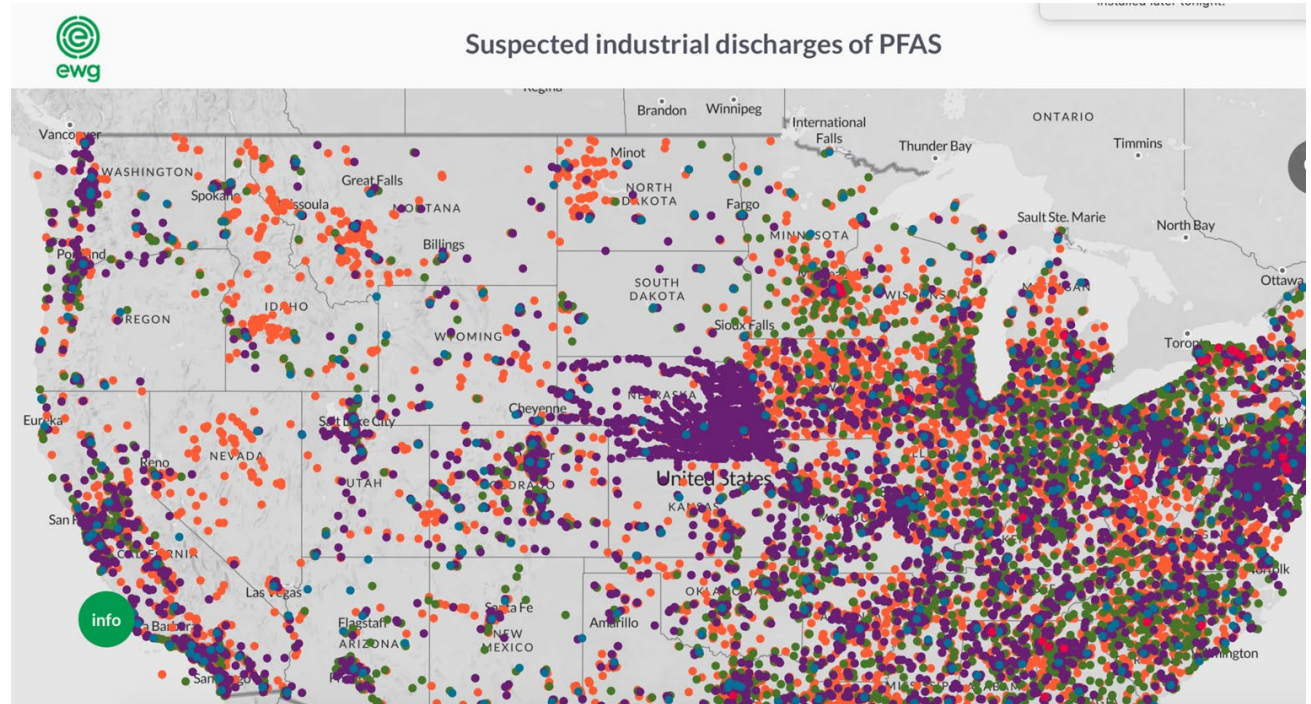
“PFAS ... affect multiple tissues in both males and females, of multiple species, at all developmental life stages ... It's not just cancer. It's not just effects on the immune system, it's not just effects on the kidney or the liver, it's also effects on development and reproduction, and pretty much almost every system that you can think of.”



Linda Birnbaum

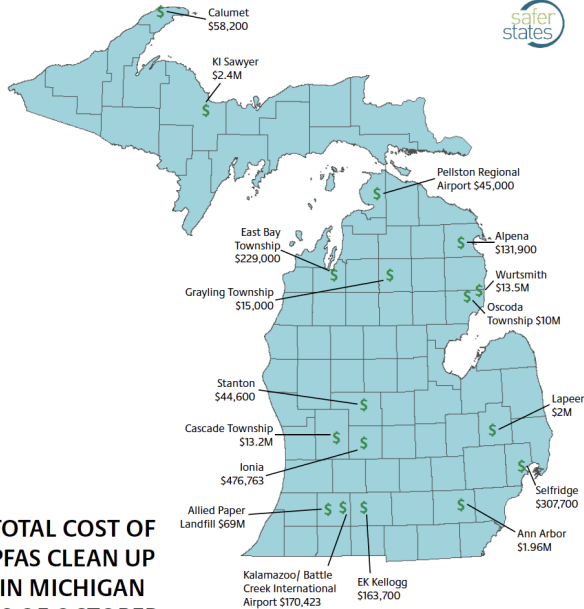
Why are States Acting?

- 1000s of impacted water systems serving millions of people
- Thousands of industrial release sites
 - Landfills
 - WWTP



Cleanup Costs are Creating Pressure for Solutions

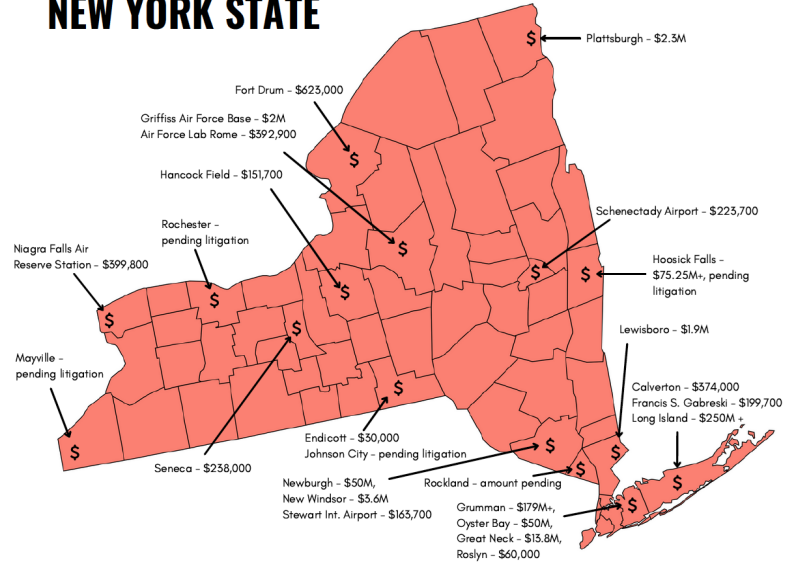
PFAS COSTS IN MICHIGAN TO DATE



TOTAL COST OF PFAS CLEAN UP IN MICHIGAN AS OF OCTOBER 2021 IS AT LEAST: \$139,479,914

In addition to the sites identified on the map above, the state of Michigan is spending \$25.7 million for testing, monitoring, technical assistance, and investigation of PFAS contamination.

PFAS CONTAMINATION COSTS IN NEW YORK STATE

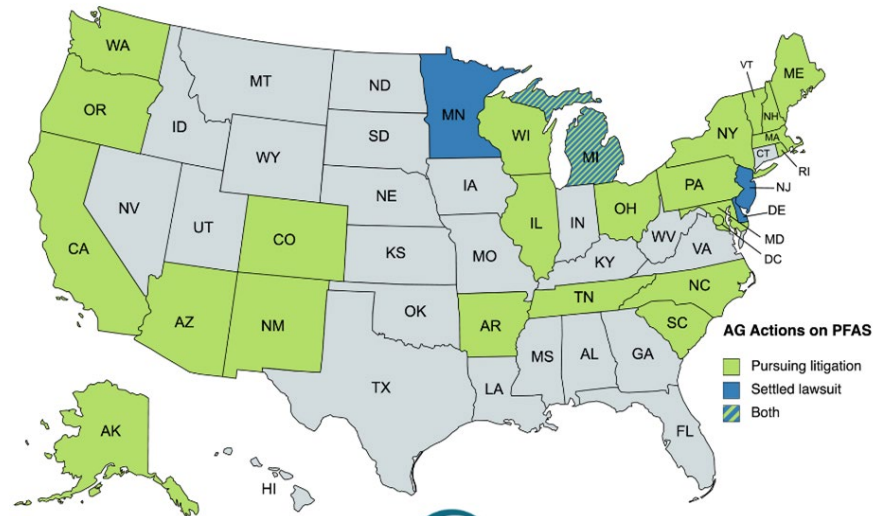


RIISING NYS TAXPAYER COST OF PFAS CONTAMINATION CLEANUP AS OF 2022:

***\$752,746,000**

State Regulatory & Attorney General Action

- 23 states acting on drinking water
- Efforts to ban sludge spreading and/or incineration of PFAS waste
- 27 State AGs have taken action against PFAS manufacturers and other key users



States aiming solve the crisis

Maine becomes first state to ban toxic 'forever chemicals' in nearly all products

Nearly all PFAS products will be prohibited for sale in the state by 2030.

By Joseph Guernon | July 26, 2021

Colorado legislature passes bill banning 'forever chemicals' in products

BY SHARON UDASIN - 05/12/22 2:05 PM ET

Vermont governor signs restrictions on PFAS 'forever chemicals'

By Christian Spencer | May 20, 2021

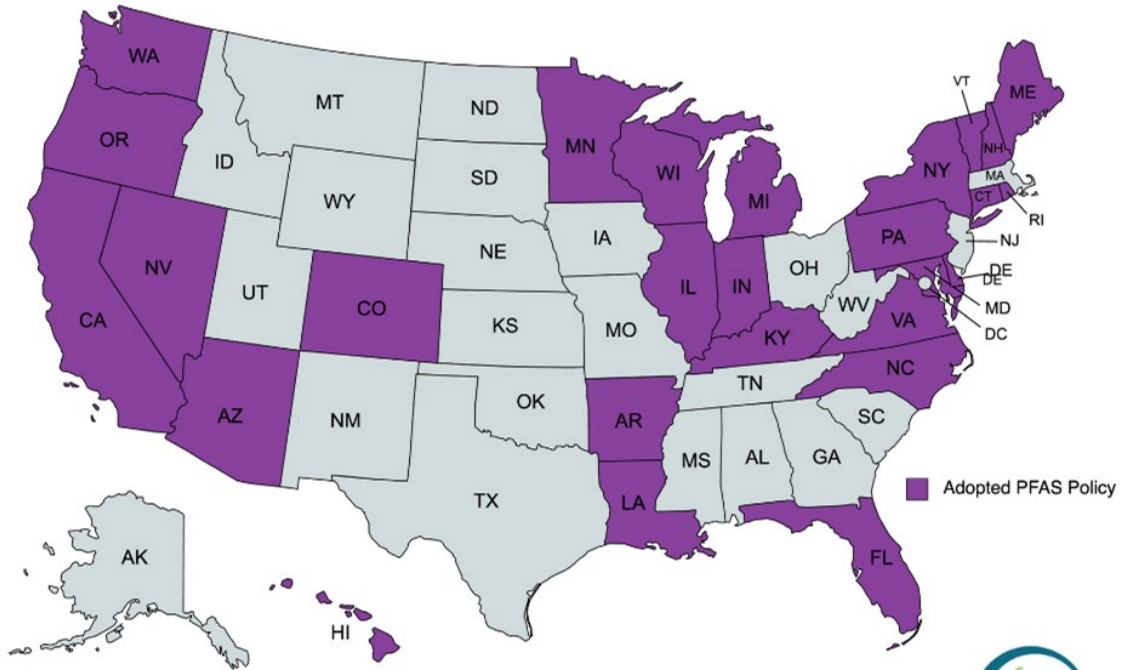


STATE OF CONNECTICUT
GOVERNOR NED LAMONT

07/20/2021

Governor Lamont Signs Legislation Banning Use Of PFAS-Containing Firefighting Foam in October, Phases Out PFAS-Containing Food Packaging In 2023

27 states have adopted PFAS policy



Multi-State PFAS definition

- 18 states have adopted this definition into law “PFAS chemicals means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom”.
 - Specifically - Arkansas, Arizona, California, Colorado, Connecticut, Kentucky, Hawaii, Illinois, Louisiana, Maryland, Maine, Minnesota, New Hampshire, Nevada, New York, Rhode Island, Vermont and Washington

State action started with Firefighters

- 12 states have put in place **phase outs on the sale of firefighting foam containing PFAS** (CA, CO, CT, HI, IL, ME, MD, NH, NY, VT, and WA) July 2020
- Eight states require **disclosure of PFAS in firefighter turnout gear** (CA, CO, IN, MD, NH, NY, VT, WA) July 2018



State action on PFAS in products

- Maine, Minnesota and Washington have given state agencies authority to **phase out PFAS in a wide range of products**.
 - ME and MN require disclosure of products containing intentionally added PFAS by Jan 2026.
 - ME requires phase out by 2030 and MN by 2032 unless the product is critical to health, safety or the functioning of society and the use of PFAS in it is “currently unavoidable”.
 - Washington state is acting under Safe Products for Washington law which requires the state to identify safer alternatives.

State Action on PFAS in specific products

- 12 states have enacted phase-outs of **PFAS in food packaging** (CA, CO, CT, HI, ME, MD, MN, NY, OR, RI, VT, and WA) (Jan 2022)
- Multiple states have restricted PFAS in textiles including CA broadly
 - 8 states have adopted restrictions on **PFAS in carpets, rugs, and aftermarket treatments** (CA, CO, MD, ME, MN, NY, VT and WA) (July 2023)
 - Two restrict PFAS in **apparel** (CA, NY, WA*)(Jan 2025)
 - Four (CA, CO, MN, WA) restrict PFAS in **indoor furniture** and all but WA restrict in **outdoor furniture**.

State action on PFAS in specific products

- Six states are taking action to eliminate **PFAS in cosmetics** (CA, CO, MD, MN, OR, WA). (Jan 2025)
- CA, CO and MN are phasing out **PFAS in children's products** (July 2023)
- MN and VT (WA*) are phasing out **PFAS in ski wax** (July 2023)
- MN is phasing out in **menstrual products, cleaning ingredients, cookware and dental floss**. (Jan 2025)
- CO adopted restrictions on **oil and gas products**.



State purchasing action

- [MI](#) and CO have policies to **restrict state purchase of products** containing PFAS
- NY purchasing specs for PFAS free furniture, floor coverings, lubricants, cookware, apparel and textiles, food service.
- CO, CT, MA, MI, MN, WA, WI refer fire departments to Green Screen for **PFAS free firefighting foam**
- CT, CA and MN specs for **food packaging**
- MA [purchasing](#) guidance on statewide contracts



Certifications and Guidance

Class Based Certifications

- EPA Safer Choice
- Green Screen Certified
- OEKO Tex, Bluesign, ZDHC

Guidance

- [AFIRM](#)
- [ChemForward](#)
- Healthy Building Network - [Informed Product Explorer](#)
- [Ecology & Safer](#)

Market action on PFAS

MILLIKEN AND
COMPANY
COMMITTS TO
ELIMINATING
PFAS

TEXTILE BUSINESS LAUNCHES PFAS-ELIMINATION INITIATIVE AS PART OF MILLIKEN'S GLOBAL SUSTAINABILITY STRATEGY



MEDIA RELEASE / MARCH 24, 2022

Burger King announces global ban of toxic “forever chemicals” in food packaging



MEDIA RELEASE / JANUARY 13, 2021

McDonald's announces global ban of toxic chemicals in food packaging



POLARTEC ANNOUNCES FULL USE OF NON-PFAS DWR TREATMENTS

Safer Solutions Exist

- Market rapidly adapting
- Federal purchasing can support market transformation
- Transparency and tools to evaluate chemical hazards are key to ensuring avoiding regrettable substitution
- States will continue to act

Thank you!

www.saferstates.org

