



Information Alert

State-Federal Relations Division

EPA Proposes Regulating Two Types of PFAS in Drinking Water

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On Feb. 20, the Environmental Protection Agency (EPA) [announced](#) a proposed regulatory determination for two per- and polyfluoroalkyl substances (PFAS)—PFOS and PFOA—in drinking water. The preliminary determination is the first step in a multistep, likely multiyear process, and a key milestone in EPA’s efforts under its [PFAS Action Plan](#) unveiled in February 2019. The action comes as many states have begun to enact or consider their own limits on the chemicals.

With last week’s announcement, the agency is also asking for “information and data on other PFAS substances, as well as seeking comment on potential monitoring requirements and regulatory approaches EPA is considering for PFAS chemicals.” It is highly unlikely that a federal regulation will be seen within the next year. The Safe Drinking Water Act requires EPA to first propose and finalize a rule determining that a chemical requires a drinking water limit before it can propose and finalize an actual limit.

PFAS are a group of man-made chemicals which includes perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and many others. The set of chemicals have been manufactured and used since the 1940s and can most often be found in firefighting foam, nonstick products, and stain- and water-repellent fabrics. Scientific research has found that the chemicals are persistent in the environment and in the human body, meaning they don’t break down and can accumulate over time causing adverse health effects. According to EPA, studies indicate PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals.

For more information on EPA’s actions surrounding PFAS read [NCSL’s State and Federal Update on PFAS](#), visit NCSL’s website or contact NCSL staff, Kristen Hildreth (kristen.hildreth@ncsl.org, 202-624-3597).