



More U.S. States Join the Global Movement to Ban Toxic PFAs in Consumer Products

When it was first invented in 1946, Teflon seemed like a miracle. The non-stick cookware repelled almost all materials, making it easy to clean and maintain. But the convenience came with a catch. Teflon was composed of man-made chemicals called PFAs (per- and poly-fluoroalkyl substances) which have since been linked to a variety of harmful health impacts such as cancer, immune system suppression, kidney and liver damage, thyroid disease, birth defects, and harm to developing infants and children. PFAs have become known as 'forever chemicals' because they don't break down and persist in the environment, including groundwater - and the human body.

Seventy-five years after Teflon hit the market, thousands of consumer products contain PFAs, most notably food packaging, clothing, carpets, and cosmetics as well as firefighting foam and protective clothing for firefighters. The most noxious are PFOAs (perfluorooctanoic acid) and PFOs (Perfluoro octane sulfonic acid). Manufacturers came up with a new process for developing fluoropolymer coatings that doesn't require PFOAs in 2002, but the pollution left by existing PFAs remains.

How Humans are Exposed to PFAs

The main way people are exposed to PFAs is through eating and drinking. The 'forever chemicals' remain in the soil and embed themselves in crops that we consume or are eaten by animals that make up part of the food chain. From soil, they make their way into ground and surface water, eventually arriving at public and private water supplies. They're also contained in food packaging.

Global PFAs Bans

As the dangers associated with PFAs have become more apparent, an increasing number of countries and states within the U.S. have passed legislation to phase out or outright ban them. Sweden, the Netherlands, Germany and Denmark plan to phase out the use of PFAs by 2030, and Denmark has banned all PFAs from food packaging. In 2019, more than 180 countries agreed to ban the production and use of PFOAs and other PFOA-related compounds. Known as the Stockholm Convention on Persistent Organic Pollutants, the pact created an agreement to prohibit the use of firefighting foams containing PFOA in training exercises. The EU reached a provisional agreement in December 2019 to settle drinking water standards for all PFAs compounds for its 28 member nations.



PFAs Bans in the U.S.

In the U.S., however, even though as of January 2021, 2337 locations in 49 states are known to have PFAs contamination, regulation has fallen to the states. The U.S. Environmental

Protection Agency (EPA) has not set limits on PFAs discharged into the air or set cleanup standards. It also doesn't require reporting of toxic PFAs releases and doesn't require the Department of Defense (DOD) to clean up legacy pollution. When the state of New Mexico attempted to require the DOD to clean up PFAs contamination at Cannon Air Force Base, the federal government sued the state, and the case is ongoing.

PFAs and Military Bases

The situation in New Mexico is not an anomaly. A DOD study found that at least 126 drinking water systems on or near military bases were contaminated with PFAs. The main culprit is Aqueous Film Forming Foam, a firefighting foam that can put out jet fuel. The U.S. military has been using AFFF for more than 50 years and even as it shifts to a less toxic substance, the aftereffects linger in the ground and water of the nation's 600 bases. According to current federal law, the DOD is required to phase out the use of AFFF, but the phase-out doesn't begin until 2024 and will only apply to military uses when it goes into effect.

States Take the Lead

In the face of inaction at the national level, over 30 states have created policies to address the problem. On June 23, 2021, New Mexico Governor Michelle Lujan Grisham petitioned the U.S. Environmental Protection Agency (E.P.A.) to include PFAs under the federal Resource Conservation and Recovery Act as a listed hazardous waste. In May and June, Minnesota, Vermont and Connecticut passed bans on PFAs in food packaging, and in September, the California House of Representatives passed a similar bill.

Of her petition, Governor Lujan Grisham said, "In the absence of a federal framework, states continue to create a patchwork of regulatory standards for PFAS across the U.S. to address these hazardous chemicals. This leads to inequity in public health and environmental protections. This petition seeks swift EPA action to create a federal framework that will equally protect all communities across the U.S. by declaring PFAS what it is – a hazardous waste under federal law."

Next Steps



If Governor Lujan Grisham’s petition succeeds and PFAs are listed as hazardous waste, it would allow states to manage PFAs clean up under existing programs authorized by the EPA,

and a clear path would be established to responsibly manage the toxic chemicals. Unlike earlier petitions filed by citizens, the Governor’s petition requires action within 90 days according to the federal Resource Conservation and Recovery Act. By September 21st, she will have an answer - and so will the rest of the country.

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