OFFICE OF LEGISLATIVE RESEARCH
Objective Research for Connecticut's Legislature

Issue Brief

PFAS "Forever Chemicals"

What are PFAS or "forever chemicals"?

Per- and polyfluoroalkyl substances, commonly known as PFAS, are a group of man-made chemicals that are resistant to heat, water, and oil. They have been used in industrial applications and various consumer products since the 1940s and are found in products like nonstick cookware, food packaging, firefighter protective gear, and firefighting foam. PFAS are persistent in the environment and the human body; they do not break down and they bioaccumulate (their concentrations increase over time).

What are the dangers of PFAS?

According to the U.S. Environmental Protection Agency (EPA), research suggests that the health effects of PFAS may include reproductive effects, developmental effects or delays in children, increased risk of certain cancers, interference with hormones, elevated cholesterol levels, and reduced immunologic response. But research continues.

The U.S. Geological Survey recently published a study estimating that more than 20% of the country's population may rely on groundwater with detectable concentrations of PFAS.

What action has Connecticut taken regarding PFAS?

In 2024, the legislature passed a law that, as of January 1, 2028, will prohibit, with some exceptions, manufacturing or selling the following types of products that contain intentionally added PFAS: outdoor apparel for severe wet conditions, turnout gear used by firefighters and emergency medical services personnel, apparel, carpets or rugs, cleaning products, cookware, cosmetics, dental floss, fabric treatments, children's products, menstruation products, ski wax, textile furnishings, and upholstered furniture. The law sets earlier deadlines for disclosures or labelling about PFAS in these products (PA 24-59, § 1).

The same law, as of October 1, 2024, prohibits the sale or use as a soil amendment of biosolids or wastewater sludge containing PFAS. These products are used as fertilizer and could be a source of contamination on farmland (PA 24-59, § 1(f)).

Previous legislation:

- prohibits, with certain exceptions, use of class B firefighting foam with intentionally added PFAS; requires a program to take-back this type of foam from municipalities; and requires development of best practices for its disposal (PA 21-191, § 1, codified as CGS § 22a-903a);
- as of January 1, 2024, bans offering for sale or promotional purposes food packaging and packaging components with intentionally introduced PFAS or using a material to replace it that creates an equal or greater hazard (PA 21-191, §§ 2-4, codified as CGS § 22a-255h et seq.); and
- requires water bottlers to annually collect and test water samples from each Department of Public Health (DPH)-approved source for PFAS and other unregulated contaminants and allows DPH to require the bottler to stop using the source (PA 21-121, §§ 86 & 87, codified as CGS §§ 21a-150b & -150d).

DPH also established "action levels" for 10 types of PFAS in drinking water to provide guidelines on detection and treatment of PFAS.

What action has been taken on PFAS at the federal level?

Among actions taken on the federal level, the EPA has:

- set maximum contaminant levels for six PFAS in drinking water and set deadlines for public water companies to begin PFAS monitoring and implementing solutions to reduce PFAS levels that exceed the limits (see the National Primary Drinking Water Regulation);
- added two PFAS chemicals to its hazardous substances list (see rule); and
- imposed reporting requirements on PFAS manufacturers (but implementation has been delayed).

Other federal actions include the U.S. Department of Agriculture's Agricultural Research Service beginning development of a long-term roadmap to respond to PFAS contamination in agriculture.

Funding

Connecticut has also provided funding specifically to address PFAS:

- Since 2020, the legislature has authorized $9.3 million in bonding to assess and remediate PFAS pollution, provide potable water to people affected by the pollution, and buy back firefighting foam (PA 20-1, § 13; PA 21-111, §§ 13 & 32; and PA 23-205, §§ 13 & 32). All but $2 million of this bonding has been allocated.
- The current budget includes $3 million in FY 24 for a grant program to reimburse municipalities for the cost of removing Class B foam containing PFAS from fire apparatus (PA 23-204, § 41(b)(10), and OFA Budget Book, p. 107).

A General Fund account is set up to (1) provide grants or reimburse municipalities and school districts for PFAS testing and remediation relating to drinking water and (2) implement the provisions described above regarding products containing PFAS (PA 23-74, as amended by PA 24-59, § 2).

Are there lawsuits about PFAS?

States, cities, and individuals have filed lawsuits against companies that produced products containing PFAS. Connecticut is involved in a multi-state lawsuit in federal court in South Carolina, as well as at least two lawsuits in federal court in Connecticut. Among other lawsuits, a group of Connecticut firefighters and firefighter unions sued companies over protective gear containing PFAS and a group of individuals filed a potential class action lawsuit against a manufacturer for soil and drinking water contamination.

Learn More

DPH information on PFAS

Department of Energy and Environmental Protection information on PFAS

EPA PFAS Strategic Roadmap

EPA PFAS Enforcement Discretion memo

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