

Calendar No. 409

116TH CONGRESS
2D SESSION

S. 2353

[Report No. 116–211]

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.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2019

Mr. PETERS (for himself, Mr. GARDNER, Ms. HASSAN, Mr. SULLIVAN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TILLIS, Ms. ROSEN, Ms. MCSALLY, Ms. SINEMA, Mr. ROUNDS, Mr. CARPER, Ms. MURKOWSKI, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

FEBRUARY 3, 2020

Reported by Mr. JOHNSON, without amendment

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Firefighters
5 from Adverse Substances Act of 2019” or the “PFAS Act
6 of 2019”.

7 **SEC. 2. GUIDANCE ON HOW TO PREVENT EXPOSURE TO**
8 **AND RELEASE OF PFAS.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of enactment of this Act, the Administrator of the
11 Federal Emergency Management Agency, in consultation
12 with the Administrator of the United States Fire Adminis-
13 tration, the Administrator of the Environmental Protec-
14 tion Agency, the Director of the National Institute for Oc-
15 cupational Safety and Health, and the heads of any other
16 relevant agencies, shall—

17 (1) develop and publish guidance for firefighters
18 and other emergency response personnel on training,
19 education programs, and best practices to—

20 (A) reduce the exposure to per- and
21 polyfluoroalkyl substances (commonly referred
22 to as “PFAS”) from firefighting foam and per-
23 sonal protective equipment; and

24 (B) limit or prevent the release of PFAS
25 from firefighting foam into the environment;

1 (2) develop and issue guidance to firefighters
2 and other emergency response personnel on alter-
3 native foams, personal protective equipment, and
4 other firefighting tools and equipment that do not
5 contain PFAS; and

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

11 (b) REQUIRED CONSULTATION.—In developing the
12 guidance required under subsection (a), the Administrator
13 of the Federal Emergency Management Agency shall con-
14 sult with appropriate interested entities, including—

15 (1) firefighters and other emergency response
16 personnel, including national fire service and emer-
17 gency response organizations;

18 (2) impacted communities dealing with PFAS
19 contamination;

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

23 (4) voluntary standards organizations engaged
24 in developing standards for firefighter and fire-
25 fighting equipment;

1 (5) State fire training academies;

2 (6) State fire marshals;

3 (7) manufacturers of firefighting tools and
4 equipment; and

5 (8) any other relevant entities, as determined
6 by the Administrator of the Federal Emergency
7 Management Agency and the Administrator of the
8 United States Fire Administration.

9 (c) REVIEW OF GUIDANCE.—Not later than 3 years
10 after the date on which the guidance required under sub-
11 section (a) is issued, and not less frequently than once
12 every 2 years thereafter, the Administrator of the Federal
13 Emergency Management Agency, in consultation with the
14 Administrator of the United States Fire Administration,
15 the Administrator of the Environmental Protection Agen-
16 cy, and the Director of the National Institute for Occupa-
17 tional Safety and Health, shall review the guidance and,
18 as appropriate, issue updates to the guidance.

19 (d) APPLICABILITY OF FACA.—The Federal Advi-
20 sory Committee Act (5 U.S.C. App.) shall not apply to
21 this Act.

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