

## Ban bill aims to slow spread of PFAS damage

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What's the first step in dealing with an overflowing bathtub?

That's the question MASSPIRG legislative director Deirdre Cummings asks to make her pitch for a sweeping new bill aimed at wrangling the presence of PFAS chemicals in food packaging, car seats, cookware, firefighting foam, carpeting and more.

'You don't start by bailing out the water, right? You want to turn the tap off, stop it from getting worse,' Cummings said. 'That's the most important thing that this bill does.'

A host of environmental and consumer protection groups including MASSPIRG, the Environmental League of Massachusetts and Massachusetts Sierra Club are lined up behind legislation that would take a two-pronged approach to PFAS, or perfluoroalkyl and polyfluoroalkyl substances: ban their use in most products to prevent new contamination, and create new programs to clean up contamination that already exists.

The bill (HD 3324 / SD 2053), filed by Rep. Kate Hogan of Stow and Sen. Julian Cyr of Truro, would implement many of the 30 recommendations made last year by an interagency task force the lawmakers chaired. 'This really hits everything,' Hogan said about her bill's embrace of the task force report.

PFAS chemicals have emerged in recent years as a growing public health and environmental concern since they do not fully degrade and have been linked to serious health effects such as kidney cancer and thyroid disease.

With presence in so many types of products, the chemicals have been detected all over the place. Citing Department of Environmental Protection data, MASSPIRG said samples from at least 169 public water systems in 95 Massachusetts cities and towns demonstrated PFAS contamination levels above the state's maximum legal limit.

Massachusetts Sierra Club Chapter Director Deb Pasternak declared that her group 'considers PFAS to be the greatest toxic threat we face today.'

'PFAS are present in so many items. It is a class of chemicals that have been used to make products greaseproof, stainproof, waterproof, shimmery for makeup,' Cummings said. 'It's used in so many areas, in food packaging and cookware and clothing. It's everywhere, and the nature of these compounds are that they don't break down in the environment, meaning they will continue to bioaccumulate. What is 10 parts of PFAS today will continue to climb unless you remove the source.'

The bill would implement bans on many products made with PFAS chemicals, even as some manufacturers move away from the substances, and require sellers to inform customers if PFAS chemicals are present.

Firefighter protective gear, food packaging, children's products, cookware, rugs and carpets, upholstered furniture, personal care products and fabric treatments with intentionally added PFAS chemicals could not be sold after Jan. 1, 2026.

In 2030, the ban would extend to effectively any product to which the substances are intentionally added unless state regulators determine the use of PFAS is 'currently unavoidable' and give a maximum exemption of three years.

Some products would need to be tested for unintentionally added PFAS starting in 2030.

'If we don't prevent it, all we're doing is identifying and cleaning up as if it wasn't the dangerous contaminant that it is,' Hogan said. 'I believe that by making prevention as important as identification and cleanup, we really are both saving ourselves, our health and also money in the future because we're letting those that manufacture consumer products and food packaging know that we're serious about this.'

The bill would also direct the DEP to amend surface water and groundwater discharge permits to require PFAS monitoring, and also call on regulators to update private well guidelines to help tackle the presence of the chemicals in drinking water from those sources.

Another provision would create a PFAS Remediation Trust Fund that would steer grant dollars to municipalities and water systems to help clean up contamination in drinking water, groundwater and soil.

Hogan said the legislation is 'trying to set up the foundation' for the trust fund, adding that lawmakers would likely need to invest in it via bonding or future spending bills.

The environmental groups supporting the bill said if lawmakers act soon, Massachusetts would become the first state in the nation to ban PFAS chemicals in cookware and the second to ban it in all products by 2030.

'This is one of the most profound bills, I think, as far as affecting public health and toxics in particular that I've seen in a long time,' Cummings said. 'This is attempting to deal with a problem that has been growing and contaminating and polluting our environment for more than 50 or 60 years.'

The measure already has substantial support beyond environmental and consumer protection groups. Seventy-one of the Legislature's 200 lawmakers cosponsored one or both versions of the bill.

Both Hogan, who serves as speaker pro tempore, and Cyr, the Senate's assistant majority whip, hold leadership positions in each chamber, which could provide a boost to the legislation's chances.

Authors and advocates are also optimistic they will find an ally in the corner office. During her prior tenure as attorney general, Gov. Maura Healey joined with colleagues from around the country urging Congress to rein in PFAS chemicals and suing manufacturers of firefighting foam containing the substances.

Last month, the governor described PFAS contamination as a 'big problem' and said she expects to need federal help to manage the issue.