

## 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.

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### 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

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## 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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