

117TH CONGRESS  
1ST SESSION

# H. R. 4954

To direct the Secretary of the Department of Homeland Security, in consultation with other agencies, to develop guidance for firefighters and other emergency response personnel on best practices to protect such personnel 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 HOUSE OF REPRESENTATIVES

AUGUST 6, 2021

Mrs. DINGELL (for herself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of the Department of Homeland Security, in consultation with other agencies, to develop guidance for firefighters and other emergency response personnel on best practices to protect such personnel 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Firefighters  
3 from Adverse Substances Act” or the “PFAS Act”.

4 **SEC. 2. GUIDANCE ON PREVENTING EXPOSURE TO AND RE-**  
5 **LEASE OF PFAS.**

6 (a) IN GENERAL.—Not later than 1 year after the  
7 date of enactment of this Act, the Secretary of Homeland  
8 Security, in consultation with the Administrator of the  
9 United States Fire Administration, the Administrator of  
10 the Environmental Protection Agency, the Director of the  
11 National Institute for Occupational Safety and Health,  
12 and the heads of any other relevant agencies, shall—

13 (1) make available a curriculum designed to—

14 (A) reduce and eliminate exposure to per-  
15 and polyfluoroalkyl substances (hereinafter re-  
16 ferred to as “PFAS”) from firefighting foam  
17 and personal protective equipment;

18 (B) prevent the release of PFAS from fire-  
19 fighting foam into the environment; and

20 (C) educate firefighters and other emer-  
21 gency response personnel on foams and non-  
22 foam alternatives, personal protective equip-  
23 ment, and other firefighting tools and equip-  
24 ment that do not contain PFAS;

25 (2) develop and publish guidance for firefighters  
26 and other emergency response personnel on training,

1 education programs, and best practices on the infor-  
2 mation described in paragraph (1); and

3 (3) create an online public repository, and up-  
4 date such repository on a regular basis, containing  
5 tools and best practices for firefighters and other  
6 emergency response personnel to reduce, limit, and  
7 prevent the release of and exposure to PFAS.

8 (b) CURRICULUM.—

9 (1) IN GENERAL.—In developing the curriculum  
10 required under subsection (a)(1), the Administrator  
11 of the United States Fire Administration shall make  
12 recommendations to the Secretary of Homeland Se-  
13 curity on the content of the curriculum.

14 (2) CONSULTATION.—For the purpose of mak-  
15 ing recommendations under paragraph (1), the Ad-  
16 ministrator of the United States Fire Administration  
17 shall consult with interested entities, as appropriate,  
18 including—

19 (A) firefighters and other emergency re-  
20 sponse personnel, including national fire service  
21 and emergency response organizations;

22 (B) impacted communities dealing with  
23 PFAS contamination;

24 (C) scientists, including public and occupa-  
25 tional health and safety experts, who are study-

1 ing PFAS and PFAS alternatives in fire-  
2 fighting foam;

3 (D) voluntary standards organizations en-  
4 gaged in developing standards for firefighter  
5 and firefighting equipment;

6 (E) State fire training academies;

7 (F) State fire marshals;

8 (G) manufacturers of firefighting tools and  
9 equipment; and

10 (H) any other relevant entities, as deter-  
11 mined by the Secretary of Homeland Security  
12 and the Administrator of the United States  
13 Fire Administration.

14 (c) REVIEW.—Not later than 3 years after the date  
15 on which the guidance and curriculum required under sub-  
16 section (a) is issued, and not less frequently than once  
17 every 3 years thereafter, the Secretary of Homeland Secu-  
18 rity, in consultation with the Administrator of the United  
19 States Fire Administration, the Administrator of the En-  
20 vironmental Protection Agency, and the Director of the  
21 National Institute for Occupational Safety and Health,  
22 shall review the guidance and curriculum and, as appro-  
23 priate, issue updates to the guidance and curriculum.

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

4       (e) RULE OF CONSTRUCTION.—Nothing in this Act  
5 shall be construed to require the Secretary of Homeland  
6 Security to promulgate or enforce regulations under sub-  
7 chapter II of chapter 5 of title 5, United States Code  
8 (commonly known as the “Administrative Procedure  
9 Act”).

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