

117TH CONGRESS
1ST SESSION

S. 231

AN ACT

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” or the “PFAS Act”.

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

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

15 (1) develop and publish guidance for firefighters
16 and other emergency response personnel on training,
17 education programs, and best practices;

18 (2) make available a curriculum designed to—

19 (A) reduce and eliminate exposure to per-
20 and polyfluoroalkyl substances (commonly re-
21 ferred to as “PFAS”) from firefighting foam
22 and personal protective equipment;

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

1 (C) educate firefighters and other emer-
2 gency response personnel on foams and non-
3 foam alternatives, personal protective equip-
4 ment, and other firefighting tools and equip-
5 ment that do not 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) CURRICULUM.—

12 (1) IN GENERAL.—For the purpose of devel-
13 oping the curriculum required under subsection
14 (a)(2), the Administrator of the United States Fire
15 Administration shall make recommendations to the
16 Secretary of Homeland Security as to the content of
17 the curriculum.

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

23 (A) firefighters and other emergency re-
24 sponse personnel, including national fire service
25 and emergency response organizations;

1 (B) impacted communities dealing with
2 PFAS contamination;

3 (C) scientists, including public and occupa-
4 tional health and safety experts, who are study-
5 ing PFAS and PFAS alternatives in fire-
6 fighting foam;

7 (D) voluntary standards organizations en-
8 gaged in developing standards for firefighter
9 and firefighting equipment;

10 (E) State fire training academies;

11 (F) State fire marshals;

12 (G) manufacturers of firefighting tools and
13 equipment; and

14 (H) any other relevant entities, as deter-
15 mined by the Secretary of Homeland Security
16 and the Administrator of the United States
17 Fire Administration.

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

1 shall review the guidance and curriculum and, as appro-
2 priate, issue updates to the guidance and curriculum.

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

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

Passed the Senate July 29, 2021.

Attest:

Secretary.

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