

June 15, 2021

The Honorable Paul Tonko  
Chairman  
Subcommittee on Environment  
and Climate Change  
U.S. House of Representatives  
Washington, DC 20515

The Honorable David McKinley  
Ranking Member  
Subcommittee on Environment  
and Climate Change  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Tonko and Ranking Member McKinley:

We, the undersigned organizations, strongly oppose H.R. 2467, the “PFAS Action Act.” Our organizations are committed to ensuring the safety of our employees and the communities where we live and operate. Product safety provides the foundation of consumer trust, and our members devote significant resources to achieve this effort. Every member of the value chain has an important part to play to ensure the products consumers use are safe and sustainable.

With these goals in mind, earlier this spring we sent a [letter to EPA Administrator Michael Regan](#) expressing our concerns regarding possible designation of PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). As stated then, CERCLA is not an effective policy tool to fulfill the goal of accelerating cleanup in communities and may delay cleanups already in process.

EPA has existing authority to meet the intent of this legislation and should be provided the time, resources, and flexibility to make its determination whether and how to address PFAS. This approach should be made under the new PFAS Council, consistent with sound science, and to protect human health and the environment.

Finally, a bill of H.R. 2467’s magnitude and importance deserves a hearing before going to markup. The subcommittee has not held a hearing on PFAS for approximately two years. Since that time, EPA, the Department of Defense, other federal agencies, and the states have all taken significant actions to address PFAS challenges. The subcommittee should hear from those government agencies, the business community, and other key stakeholders before members decide on the proper scope and substance of any legislation. Moreover, the committee has gained many new members who deserve an opportunity to hear from such stakeholders before making policy decisions.

We oppose the PFAS Action Act and ask the members of your subcommittee to do so as well. We stand ready to assist you throughout the legislative process.

Sincerely,

Agricultural Retailers Association  
Airlines for America  
American Chemistry Council  
American Coatings Association

American Forest and Paper Association  
American Fuel and Petrochemical Manufacturers  
American Petroleum Institute  
Flexible Packaging Association  
National Cattlemen's Beef Association  
National Association of Chemical Distributors  
National Association of Manufacturers  
National Association for Surface Finishing  
National Council of Textile Organizations  
National Electrical Manufacturers Association  
National Oilseed Processors Association  
National Mining Association  
Plastics Industry Association  
U.S. Chamber of Commerce

cc: Members of the House Committee on Energy and Commerce