



# 2025 PFAS POLICY LANDSCAPE

**Sustainable PFAS Action Network (SPAN)**

Kevin Fay, Executive Director  
February 2025

# SPAN PRINCIPLES

---

**The Sustainable PFAS Action Network (SPAN) is a coalition of industry stakeholders working to promote sustainable state, federal and international policy approaches on PFAS that are consistent with up-to-date scientific and risk-based policy.**

- A uniform Federal policy in lieu of multiple state programs
- Prioritizing identification and remediation of contaminated sites
- Narrowing PFAS definition to focus on substances most likely to exhibit characteristics affecting risk
- An effective and manageable program for reporting on commercially active PFAS
- Science- and risk-based categorization of compounds and potential regulatory controls
- An efficient and constructive approval process for new PFAS alternatives that is modeled on the SNAP program for implementing the Montreal Protocol
- An essential-use exemption process with established criteria if categorical prohibitions are imposed
- Long-term PFAS emission reduction goals
- Sufficient funding for staff and PFAS-related resources at Federal and State level



# RISK-BASED POLICY AT THE STATE-LEVEL

In 2024, SPAN's advocacy led to a greater focus on targeted, risk-based PFAS policy. State policymakers are increasingly focusing on commercially-active compounds, more targeted definitions, and nonessential consumer products.

Removed some class-wide provisions before enacting legislation

- Colorado
- Connecticut
- Rhode Island
- New Hampshire
- Vermont

Class-wide bills that have not advanced out of committee

- California
- New Jersey
- New York
- Massachusetts

Introduced class-wide bills without extensive committee consideration

- Michigan
- Pennsylvania
- Illinois
- North Carolina
- Wisconsin

# 2025 ACTIVITY

---

**SPAN expects there to be continued class-wide consumer product legislation in several states this legislative session, while existing laws continue to be implemented.**

## **Active Legislation**

- Maine
- New Mexico
- New York

## **States Implementing Class-Wide Programs:**

- Maine
- Minnesota

## **Expected Legislative Activity in 2025:**

- California
- Massachusetts
- Michigan
- Pennsylvania
- Vermont
- New Jersey
- Illinois
- Minnesota

# Lee Zeldin – PFAS History

---

- Zeldin was a member of the Bipartisan House PFAS Task Force
- One of 23 Republicans to support Rep. Debbie Dingell's PFAS Action Act in 2021 (H.R. 2467)
  - This bill directed EPA to set drinking water standards and designate certain PFAS as hazardous substances under CERCLA
- Requested about [\\$14 million](#) from EPA to assist with remediation at a PFAS-contaminated Northrop Grumman plant in his Long Island district
- In 2020, he voted against an amendment (from Chris Pappas, D-NH) to the PFAS Action Act of 2019 to review ongoing PFAS discharges (amendment was intended to close a loophole in the Clean Water Act)

# PROGRESS WITH EPA

---

## **SPAN is confident that progress can be made toward risk-based federal PFAS policy with EPA Administrator Lee Zeldin & the Trump Administration**

- Several PFAS-related topics arose during Lee Zeldin's Confirmation Hearing – including existing contamination issues, CERCLA, new chemicals approval, and defense uses
- Senate EPW Chair Shelley Moore Capito (R-WV) stated during the hearing that she wants to make PFAS a priority
- SPAN expects the PFAS reporting rule to continue, although PFAS will not be a top priority for EPA
- In 2024, EPA announced a delay of their reporting program deadline, from November 2024 to July 2025, due to increased responsibilities and inadequate funding.



# ONGOING CONGRESSIONAL PROCESS

---

## Key Congressional offices and committees continue to search for ways to sustainably manage PFAS

- NDAA continues to be primary PFAS legislative vehicle
- Senate Environment & Public Works Committee (EPW) continues to seek feedback on PFAS legislation
- Continue to work with federal agencies such as EPA, Department of Defense, Department of State, and Department of Energy to work toward implementing risk-based policy solutions that the agencies have expressed a commitment toward
- Potential PFAS Legislation in 2025
  - *Forever Chemical Regulation and Accountability Act* – originally released in April 2024, sponsored by Senator Dick Durbin (D-IL) and Rep. Betty McCollum (D-MN)
  - *PFAS Action Act* – received vote in 2021 (Lee Zeldin voted in favor), re-released in December 2023, sponsored by Rep. Debbie Dingell (D-MI)

# KEY TAKEAWAYS

---

**SPAN is confident that there will continue to be progress at the federal and state levels on risk-based PFAS policy.**

- PFAS will continue to be an environmental policy focus at state and federal levels
- Administrator Zeldin has previous familiarity with PFAS from his time in Congress
- The EPA PFAS Strategic Roadmap was originally started in the first Trump Administration
- SPAN expects PFAS policy focus to be on risk-based assessment and commercially-active compounds
- The EPA TSCA Reporting program is a critical first step, but could benefit from simplification
- Budget and staffing issues at the federal level raise significant uncertainty
- States will remain active, but continuing budget issues and complexity will challenge the “class-based” approach



# SPAN ACTIVITY FOR 2025 AND BEYOND

- Work to continue success at the state level with risk-based legislation focused on high-risk commercially-active compounds
- Continue outreach with key congressional offices and committees to assist with the formulation of a strong risk-based federal PFAS management program that provides critical guidance to states
- Strengthen communications efforts to increase understanding of accurate and responsible PFAS usage
- Increase outreach to NGOs, international organizations, and agencies to define common ground
- Give voice to user industries for the sustainable PFAS management approach
- Continue our comprehensive communications program
  - Worcester Telegram & Gazette Op-ed: [“Striking the right balance on PFAS use”](#)
  - Automotive News ‘Daily Drive’: [Interview with SPAN’S Kevin Fay](#)

KFF Health News

chemical watch  
news & insight

Inside  
PFAS  
Policy

TELEGRAM & GAZETTE

GUEST COLUMN: Striking the  
right balance on PFAS use

Kevin Fay, Executive Director of SPAN

Automotive News  
DAILY  
DRIVE

MINNPOST

Community Voices

Not all PFAS are the same; it's now the MPCA's job to define which  
are essential to Minnesotans' health and economy

By: Kevin Fay



COLLABORATIVE POLICY SOLUTIONS

# **PFAS: A State Perspective**

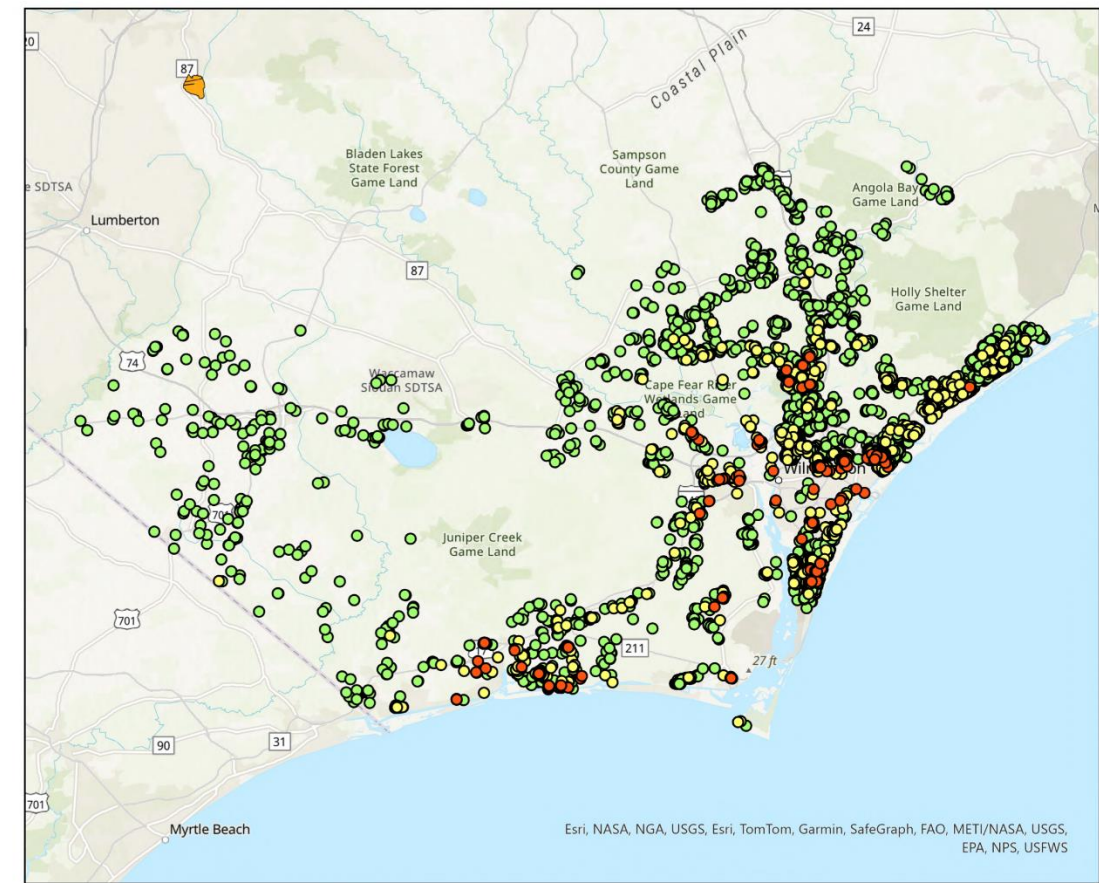
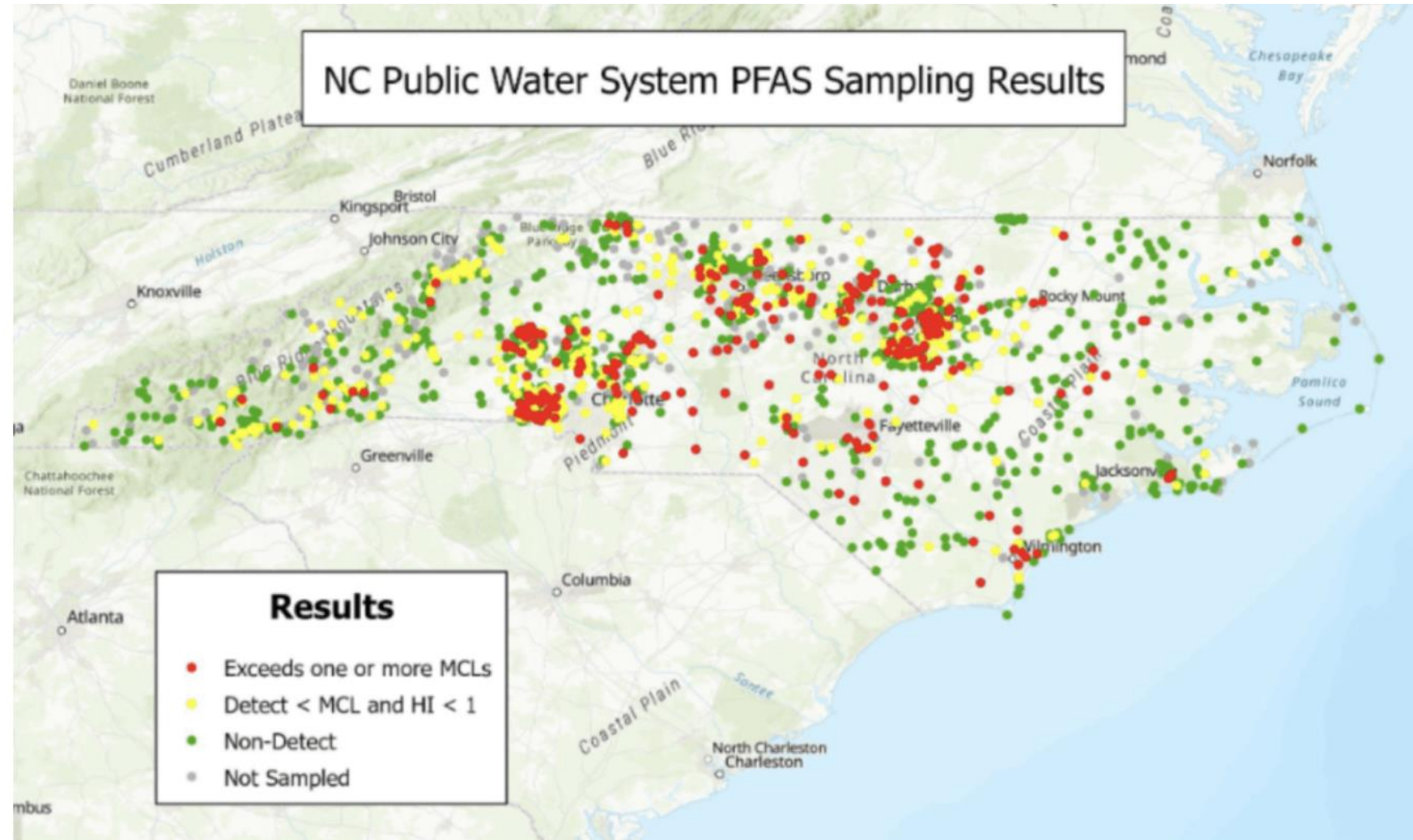
Elizabeth Biser

President, Biser Strategies LLC

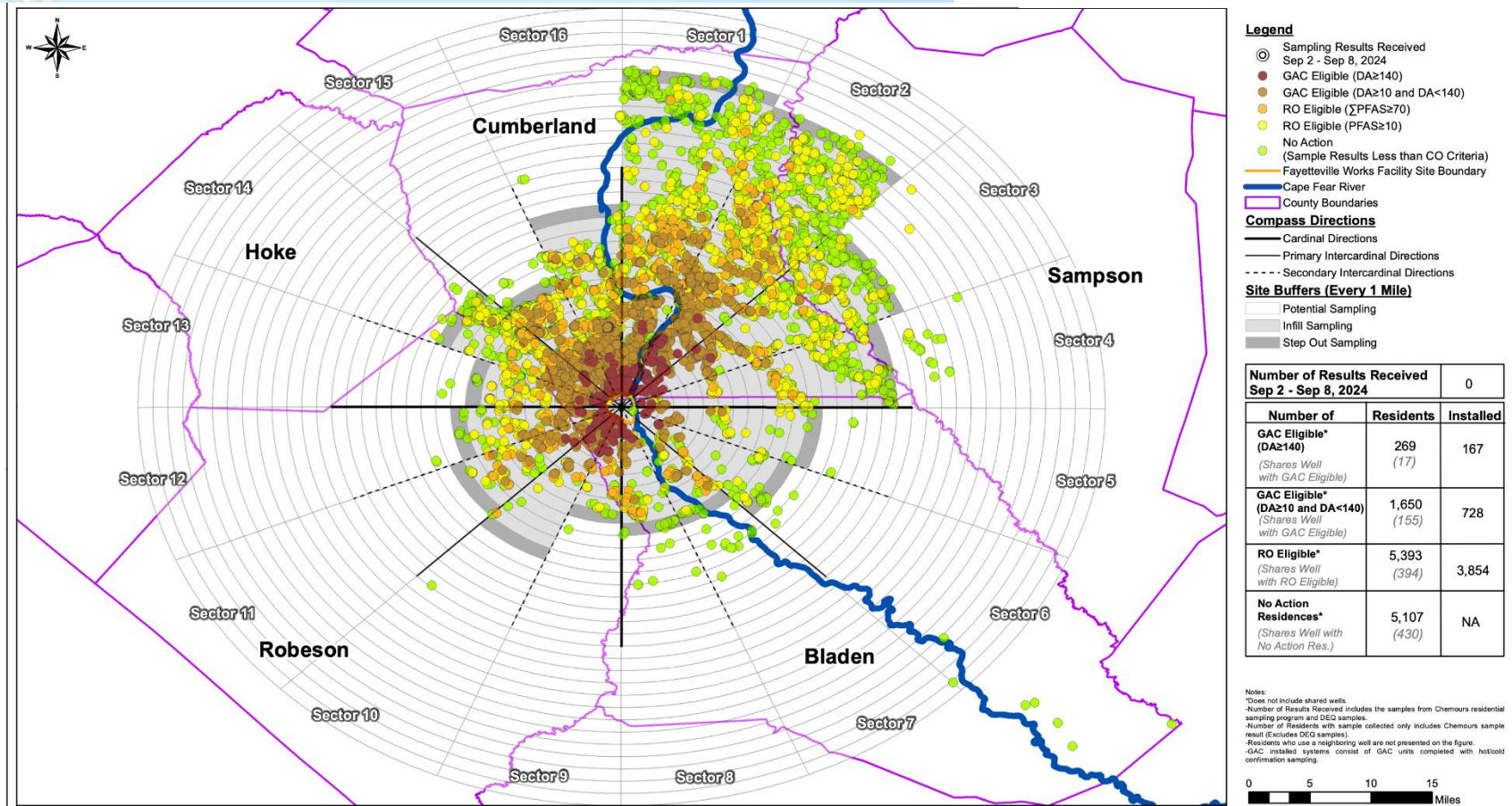
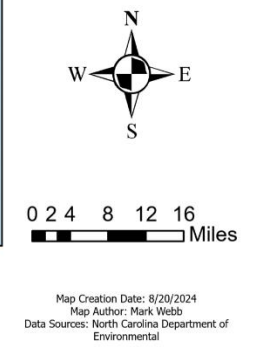
AHR Expo

February 10, 2025





PFAS Residential Well Sampling  
Lower Cape Fear Region  
Results Through 06/2024



**PIONEER**  
TECHNOLOGIES CORPORATION

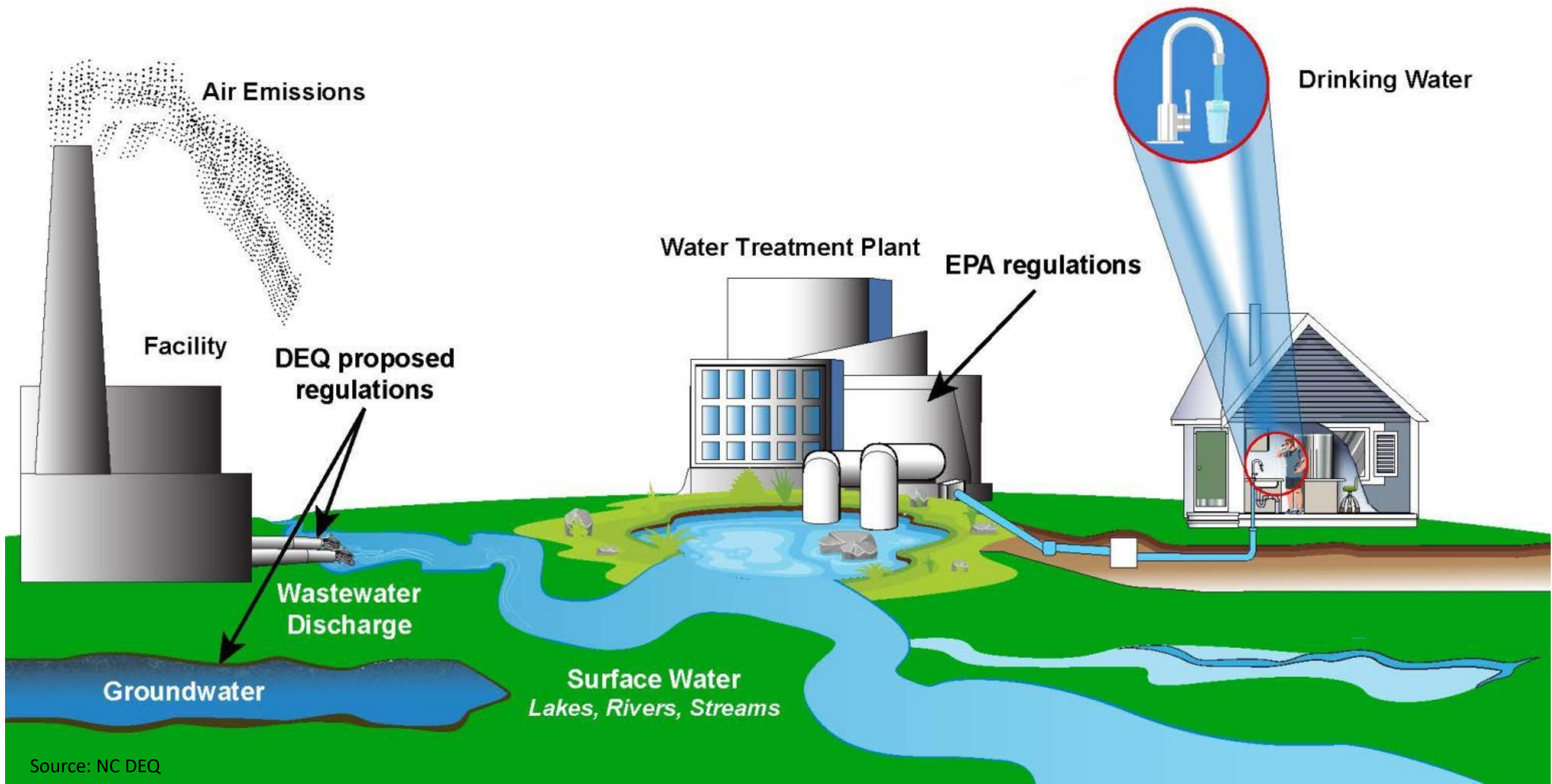
FAY Residential Sample Results Received Sep 2 - Sep 8, 2024  
Fayetteville Consent Order  
Fayetteville, North Carolina

Figure 2



Source: NC DEQ







# State-Level PFAS Trends



Fayetteville PWC P.O. Hoffer Water Treatment Facility

1. Bans
2. State-level Standards
3. Remediation







COLLABORATIVE POLICY SOLUTIONS

Elizabeth Biser  
elizabeth@biserstrategies.com



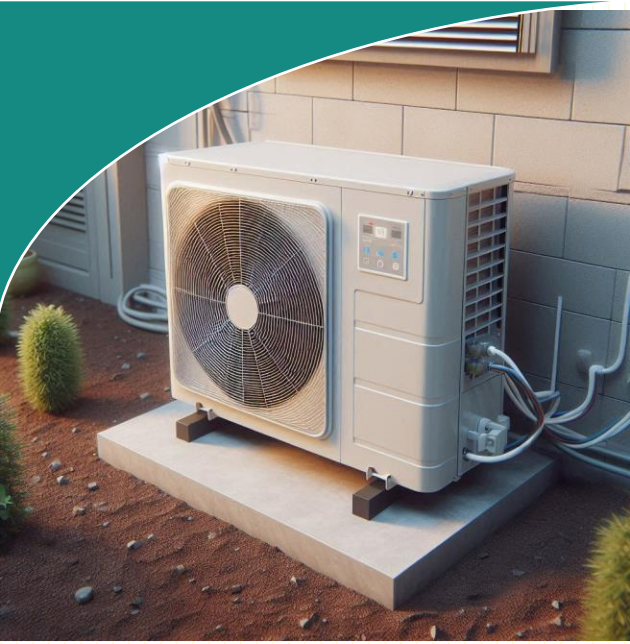


# Living with PFAS regulations

## a view from the regulated community

Allen Karpman  
Principal,  
Ninth Element Consulting LLC  
[allen@ninthelement.net](mailto:allen@ninthelement.net)





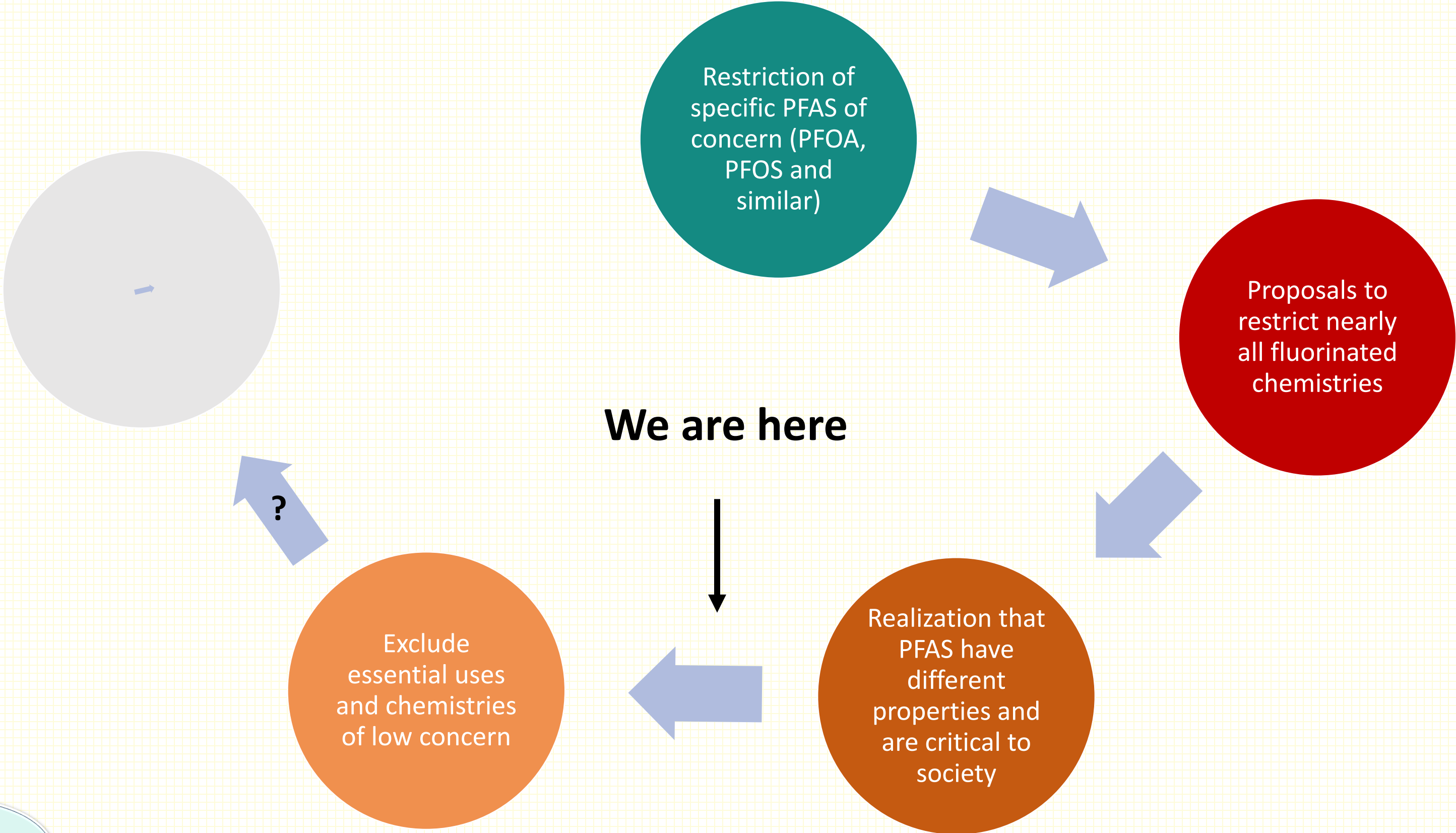
## PFAS in HVACR products

- No single criteria for PFAS – depends on regulation
- Many HFC refrigerants, whether virgin or reclaim
- Some criteria include HFOs
- Equipment containing refrigerants
- insulation, gaskets, plumbing tape etc.
- A user may not know if they have PFAS



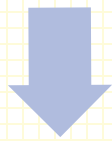


# Evolution of PFAS controls



# PFAS requirements – where we are

Realization that PFAS have different properties and are critical to society



Exclude essential uses and chemistries of low concern

## Federal - EPA TSCA 8(a)7 one time reporting:

- Applies to producers and importers of PFAS and articles (parts, equipment) containing PFAS
- Covers HFC-134a, HFC-125 and blends (e.g. 404A and 410A). Pure HFO not covered
- There is no *de minimis* quantity

## States:

- Reporting and possible future restrictions or bans – criteria varies
- The Currently Unavoidable Use concept in Maine exempts a list of industries
- Under Maine CUU, SNAP approved refrigerants exempt until 2040
- Maine CUU likely to be copied by others
- Some states also proposed to consider risk

## General:

- No direct connection between HFC controls and PFAS
- No exemption for reclaim



# PFAS Management – main takeaways

- 2025 will be a high activity year for PFAS in products at state level
- CUU concept is being finalized or proposed/adopted in a number of states
- If your name is on the label or you sell in/into a state directly, you may have reporting and recordkeeping obligations
- In some states reporting begins in 2026
- Trade associations are key for keeping up to speed

Allen Karpman  
Principal,  
Ninth Element Consulting LLC  
[allen@ninthelement.net](mailto:allen@ninthelement.net)

