

NRWA Urges House Energy and Commerce Committee to Exempt Small and Rural Communities from PFAS Superfund Liability: House Democrats, backed by Speaker Pelosi (CA), are aligning behind a PFAS Energy and Commerce Committee plan that was approved largely along party lines by a vote of 31-19 on Nov. 20. The bill, [H.R. 535, "PFAS Action Act of 2019,"](#) provides a range of policies to address PFAS including a requirement that EPA list PFOA and PFOS as hazardous substances under the Superfund law. While the Superfund language is now limited to PFOA and PFOS, another section of the bill would require EPA to list PFAS as hazardous air pollutants as a class under the Clean Air Act, which would have the same effect on potential liability as a Superfund designation. Passage of this legislation is intended to support the separate House version of the National Defense Authorization Act (NDAA) legislation, which also requires EPA to list PFAS as a hazardous substance under the Superfund program. The issue has become a priority for Speaker Pelosi who has personally called for including provisions in the defense bill which is being negotiated between the House and Senate. The Senate version of the bill does NOT include the requirement for Superfund listing of PFAS and House and Senate negotiators are putting the final touches on a defense bill that is slated for release any moment. Senate bill sponsor and committee chairman, Jim Inhofe (OK), is accusing the House Speaker of being inflexible on the PFAS issue ([Tulsa World News](#)). Inhofe said that unless the House PFAS language is in the bill, *"the Speaker will not bring the bill up for a vote in the House... Once you make that statement, you know something is not sellable."* NRWA is backing the Senate version of the legislation and urged the committee to exempt small and rural communities from Superfund liability in the House bill ([NRWA statement](#)).