

## PFAS Legislation in Connecticut

By: Kristen Miller, Senior Legislative Attorney  
October 20, 2023 | 2023-R-0258

### Issue

Describe recently passed Connecticut legislation on per- and polyfluoroalkyl substances (PFAS).

### Summary

According to the [U.S. Environmental Protection Agency](#) (EPA), PFAS are a diverse group of man-made chemicals that are resistant to heat, water, and oil. They have been used in the United States since the 1940s in many different consumer, commercial, and industrial products. People may be exposed to PFAS through contaminated food or water or by using products containing PFAS such as cleaning products, nonstick cookware, and water- or stain-resistant textiles.

PFAS are persistent in the environment and the human body; they do not break down and they bioaccumulate (i.e., concentrations increase over time). According to [EPA](#), “current scientific research suggests that exposure to certain PFAS may lead to adverse health outcomes” (e.g., low birth weight, developmental effects or delays in children, increased risk of certain cancers, elevated cholesterol levels, and reduced immunologic response to vaccinations).

The Connecticut legislature has passed several bills since 2020 to (1) address the sale or use of certain products containing PFAS (i.e., firefighting foam, food packaging, and bottled water) and (2) authorize bond funding for things such as PFAS testing and remediation in drinking water. Table 1 below lists these acts, in reverse chronological order, and provides a brief description of the relevant provisions.

**Table 1: Connecticut Legislation Concerning PFAS, 2020-2023**

Year	Act & Section (§) Numbers	Brief Description
2023	<a href="#">PA 23-205</a> , §§ 13 & 32	<ul style="list-style-type: none"> <li>• Authorizes up to \$5 million total to the Department of Energy and Environmental Protection (DEEP) for FYs 24 and 25 (\$3 million and \$2 million, respectively) in new bonding* for grants to municipalities for (1) testing for PFAS pollution and associated remedial action, (2) providing potable water to people affected by this pollution, and (3) buyback of aqueous film-forming foam with PFAS</li> </ul>
	<a href="#">PA 23-74</a>	<ul style="list-style-type: none"> <li>• Establishes a nonlapsing account in the General Fund for grants or reimbursements to municipalities to test for and remediate PFAS contamination in drinking water supplies</li> </ul>
2021	<a href="#">PA 21-191</a>	<ul style="list-style-type: none"> <li>• Generally prohibits using class B firefighting foam with intentionally added PFAS (exemptions include uses allowed by federal law)</li> <li>• Prohibits:               <ol style="list-style-type: none"> <li>(1) by December 31, 2023, manufacturers and distributors from offering for sale or promotional purposes food packages with PFAS that was intentionally introduced during manufacturing or distribution and</li> <li>(2) using a material that replaces a chemical regulated by the state packaging and packaging components law (which includes PFAS) in an amount or way that creates an equal or greater hazard than the regulated chemical</li> </ol> </li> </ul>
	<a href="#">PA 21-121</a> , §§ 86 & 87	<ul style="list-style-type: none"> <li>• Requires water bottlers to annually (1) collect water samples before any water treatment from each Department of Public Health (DPH)-approved source and (2) have them tested for PFAS and other unregulated contaminants at a DPH-registered environmental laboratory</li> <li>• Allows DPH to prohibit the water bottler from using the approved source until it no longer poses an unacceptable health or safety risk to consumers if the results exceed DPH standards for PFAS or the contaminants</li> </ul>
	<a href="#">PA 21-111</a> , §§ 13 & 32	<ul style="list-style-type: none"> <li>• Authorized up to \$1.15 million in new bonding* to DEEP each in FYs 22 and 23 for grants to municipalities for (1) providing potable water and (2) assessment and remedial action to address pollution from PFAS</li> </ul>
2020	<a href="#">PA 20-1</a> , § 13	<ul style="list-style-type: none"> <li>• Authorized up to \$2 million to DEEP in FY 20 in new bonding* for (1) PFAS pollution testing, (2) providing potable water to people affected by PFAS pollution, and (3) buying back aqueous film-forming firefighting foam with PFAS</li> </ul>

\*bonds are subject to standard issuance procedures and have a maximum term of 20 years

KM:co