



*Working with community wastewater treatment and stormwater management agencies  
across the state to protect Oregon's water quality since 1987.*

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March 12, 2025

Representative Lively, Chair  
Committee Members  
House Committee on Climate, Energy, and Environment

**Subject: Testimony on House Bill 3512—A bill that would prohibit distribution and sale of certain products that intentionally contain PFAS**

Chair Lively and Members of the Committee:

The Oregon Association of Clean Water Agencies (ACWA) appreciates the opportunity to submit testimony on HB 3512, a bill that would phase out and prohibit the distribution and sale of certain products that contain perfluoroalkyl or poly fluoroalkyl substances (PFAS). ACWA is a private, not-for-profit professional organization of Oregon's wastewater treatment and stormwater management agencies and associated professional consulting firms, which are dedicated to protecting and enhancing Oregon's water quality. Our members provide wastewater and stormwater services to over 3.5 million Oregonians, serving over 75% of Oregon's homes and businesses. ACWA is dedicated to protecting and enhancing Oregon's water environment through the development of effective environmental policies and programs, education and outreach, and the collaborative management of water resources.

Oregon's public clean water utilities closely follow emerging contaminant-related issues because our mission is to protect human health and the environment, and because we know we will be called upon to help address them. With regard to PFAS, Oregon ACWA began to tackle this group of chemical compounds over five years ago because growing scientific evidence pointed to the facts that PFAS do not readily break down with time or treatment, they are toxic at low levels, and they are ubiquitous in society.

Public wastewater and stormwater agencies are passive receivers of PFAS contamination, meaning we do not produce or manufacture these chemicals or use them in the treatment process. Utilities simply receive PFAS in the raw influent that arrives at the treatment plant. The influent includes a mixture of wastewater streams from domestic, commercial, and industrial sources, all of which can contain PFAS in varying amounts.

Utilities are required to treat wastewater in accordance with all appropriate laws and regulations to meet discharge limits set by the US Environmental Protection Agency (EPA) and the Oregon Department of Environmental Quality (DEQ). EPA is in the process of developing regulations for PFAS discharges

based on scientific assessments of human and aquatic health risk. PFAS present significant treatment challenges by their very design as “forever chemicals,” with current wastewater treatment technologies unable to destroy the strong carbon-fluorine bond. Wastewater treatment facilities were not designed to treat PFAS, and currently, there are no practicable cost-effective technologies available to treat or remove PFAS from the volume of wastewater managed daily by clean water utilities. Therefore, the only way wastewater utilities can address PFAS pollutants is by intervening upstream and preventing PFAS from reaching the treatment plants through source reduction outreach efforts.

For these reasons, ACWA strongly supports approaches that will eliminate or minimize PFAS use in industrial processes and in the manufacture of our everyday commercial and consumer products. Source reduction actions must be at the heart of national and local efforts to effectively and affordably reduce PFAS entering the environment. PFAS source reduction in consumer products is also important to reduce direct human contact and associated toxic effects of PFAS in personal care products and other consumer products. For the uses of PFAS that are considered essential, and where no safer and viable substitutes exist, it is critical to ensure chemical and product manufacturers install source controls that prevent the discharge of PFAS pollutants into wastewater and stormwater systems.

ACWA has been a leader in developing both science and tools and resources needed for local governments to address PFAS. With funding from the EPA Columbia River Basin Toxics Reduction Grant program, ACWA undertook the “PFAS and Phthalate Assessment and Reduction Project” to advance ACWA’s ongoing efforts to address PFAS and phthalates in a collaborative and proactive way, and to build on the science and data available on these pollutants in Oregon. Completed in 2024, this project has: 1) assessed the primary sources of PFAS and phthalates in Oregon and their presence in public wastewater system influent and effluent discharges; and 2) developed data, solutions, tools, and resources to support agencies in their efforts to reduce the presence of PFAS and phthalates in local communities statewide. ACWA has produced guides for local governments to pursue product substitution in their operations, as well as with community members and industries. (See [Guide to purchasing PFAS-free products](#) ; [Reducing PFAS in Wastewater: Industrial Outreach](#) ; [Local Government Guide to Avoiding PFAS in Products](#).) [Work products created through this project](#) will help wastewater utilities prepare for water quality regulations and will provide public agencies with tools to implement toxics reduction strategies in their communities.

HB 3512 would set Oregon on an aggressive PFAS source reduction path, which could go a long way toward achieving broad PFAS source reduction objectives. Eliminating the products listed in HB 3512 would, in turn, reduce PFAS flushed down drains, disposed of in landfills, released to the air, and released directly to surface waters, thereby reducing exposure risks and discharges to surface and groundwater sources. Phasing out these products would likely go a long way toward helping wastewater utilities meet future PFAS limits in their wastewater discharge permits.

While many PFAS-containing products can be substituted with less toxic alternatives, the list of products included in HB 3512 is far-reaching. ACWA cannot determine the feasibility or implications of phasing out these products in Oregon by the dates provided. ACWA also cannot opine on the feasibility of the bill in Oregon given the timelines set out or the impacts removal of these products would have on Oregon communities and economies. Finally, ACWA is concerned that a simple prohibition of some products, like PFAS firefighting foam, that does not include requirements for disposal of legacy stocks of PFAS-containing materials will result in increased disposal of PFAS to landfills. PFAS concentrations in landfill leachate that is discharged to public wastewater treatment plants already. For that reason, ACWA is neutral on HB 3512.

Respectfully submitted,

*Jerry Linder*

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