

# Attorney General Raoul Supports U.S. EPA's Proposal To List Nine PFAS Compounds As Hazardous Constituents

by Office of the Illinois Attorney General  
April 10 2024 9:28 AM



CHICAGO - Attorney General Kwame Raoul today, with 11 attorneys general, submitted a comment letter supporting the U.S. Environmental Protection Agency's (EPA) proposed rule that would list nine PFAS compounds as hazardous waste under the Resource Conservation and Recovery Act (RCRA).

[In the letter](#), Raoul and the coalition strongly support the rule and urge the EPA to build upon it by undertaking a future rulemaking that lists all PFAS, or “forever” chemicals, under RCRA as hazardous wastes. A hazardous waste designation would ensure more

comprehensive regulatory coverage and would account for the cumulative nature of PFAS contamination and exposures that pose public health risks.

“As the name implies, forever chemicals do not naturally break down in the environment, which poses a significant threat to human health and the environment,” Raoul said. “My office has taken several actions to protect the residents of Illinois from the health impacts that can result from exposure to these chemicals. I will also continue to work at the federal level with my fellow attorneys general to urge the EPA to prioritize stronger regulations of these dangerous synthetic chemicals.”

By adding PFAS to the RCRA list of hazardous waste, the proposed rule would enable Illinois to require corrective action for releases of PFAS into the air, water or soil at facilities that are regulated as Treatment, Storage, and Disposal Facilities (TSDFs) under RCRA.

PFAS are widely used in consumer products, including food packaging, cookware, clothing, carpets, shoes, fabrics, polishes, waxes, paints and cleaning products, as well as in firefighting foams designed to quickly smother liquid fuel fires. PFAS chemicals are stable in the environment, resistant to degradation, persistent in soil, and known to leach into groundwater. Exposure to PFAS can cause adverse health impacts including developmental defects; liver, kidney, testicular, breast, pancreas and prostate cancer; adverse pregnancy outcomes; infertility; reduced bone density in children and impacts on the thyroid and immune system.

Specifically, the EPA’s proposed rule would do the following:

- Add nine PFAS to the RCRA list of hazardous constituents. Those PFAS are: perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorobutanesulfonic acid (PFBS), hexafluoropropylene oxide-dimer acid (HFPO–DA or GenX), perfluorononanoic acid (PFNA), perfluorohexanesulfonic acid (PFHxS), perfluorodecanoic acid (PFDA), perfluorohexanoic acid (PFHxA), and perfluorobutanoic acid (PFBA).
- Enable the EPA and authorized states such as Illinois to address releases of these PFAS at TSDFs through the RCRA corrective action process.
- Require permits issued by the EPA or authorized states to include corrective action for all releases of listed PFAS from any solid waste management unit at the TSDFs.

The letter is Attorney General Raoul’s most recent effort to protect the public from PFAS. [After Raoul called on the U.S. Senate](#) to pass legislation to protect the public from the dangers of the toxic chemicals, the U.S. Department of Defense received additional tools to address PFAS. Raoul has filed multiple lawsuits regarding PFAS protection. In 2022, [Raoul filed a lawsuit against 3M](#) alleging that the company’s

improper handling of PFAS resulted in ongoing contamination at and around its facility in Cordova, Illinois. Raoul also previously [filed a lawsuit against multiple companies](#) that manufacture PFAS alleging the manufacturers have known for decades that PFAS are toxic and pose substantial health and environmental risks, yet continue to actively promote the chemicals as safe to manufacture and use. Raoul also [filed a lawsuit in 2023](#) against multiple companies that manufacture PFAS utilized in a fire-suppressing foam that is used to extinguish flammable liquid fires from gasoline, oil, jet fuel, and other chemicals at industrial facilities. Following that lawsuit, Raoul [joined a coalition](#) supporting the EPA's proposal to set enforceable drinking water standards for six PFAS chemicals.

Joining Attorney General Raoul in filing the letter are attorneys general from Arizona, California, Connecticut, Colorado, the District of Columbia, New Mexico, New Jersey, New York, Oregon, Pennsylvania and Wisconsin.