

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 682 (Allen) – As Amended July 17, 2025

Policy Committee: Environmental Safety and Toxic Materials Vote: 5 - 2

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill prohibits a person from distributing, selling, or offering for sale in the state a cleaning product, cookware, dental floss, juvenile product, food packaging, or ski wax that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) and requires the Department of Toxic Substances Control (DTSC) to enforce these prohibitions using its existing authority.

Specifically, this bill, among other things:

- 1) Authorizes DTSC, as part of its Safer Consumer Products program, to evaluate uses of PFAS.
- 2) Authorizes DTSC, for any product covered by this bill, to request, and requires the manufacturer to provide, a statement of compliance certifying that each covered product is in compliance with the applicable covered PFAS restriction as well as technical documentation, to demonstrate compliance with the applicable covered PFAS restriction.
- 3) Prohibits a person from distributing, selling, or offering for sale in the state a “2028 product” (cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax) that contains intentionally added PFAS on and after January 1, 2028, with the exception for cookware. Provides that this prohibition applies to cookware on or after January 1, 2030.
- 4) Provides that aforementioned prohibition does not apply to (a) a product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority or (b) a previously used product.
- 5) Authorizes DTSC, on or before January 1, 2029, to adopt regulations to administer the provisions of this bill.
- 6) Except as specified, requires the aforementioned prohibitions to be enforced by DTSC pursuant to its existing authority established under AB 347 (Ting), Chapter 932, Statutes of 2024. The bill exempts a manufacturer of a product regulated by this bill from the requirement in AB 347 to register with DTSC and pay the applicable registration fee.

FISCAL EFFECT:

- 1) DTSC will incur costs of an unknown, but potentially significant amount, to enforce the prohibitions established by this bill under the AB 347 framework (see background). DTSC

has not yet received funding to implement AB 347; therefore, it is challenging to determine the incremental cost of implementing this bill. In later years, a portion of the department's implementation costs may be offset by any administrative penalty revenue collected and deposited into the PFAS Enforcement Fund. The exact magnitude of DTSC's costs is unknown and will depend on the scope and frequency of DTSC's testing and enforcement in any given year.

For its part, if it is not allocated funding to implement AB 347, DTSC estimates costs of up to \$3.8 million annually, including up to 12 staff, to implement this bill (Toxic Substances Control Account (TSCA), PFAS Enforcement Fund). The department notes that while this bill embeds additional products or product categories under the enforcement framework of AB 347, it exempts manufacturers of these products from AB 347's registration requirements (including the payment of registration fees). DTSC notes its startup costs would require a loan from TSCA, which is supported by the Environmental Fee and annually adjusted by the Board of Environmental Safety (BES) at a rate sufficient to cover DTSC's operations. DTSC anticipates BES would need to increase the fee by approximately 3% to generate sufficient revenues to fund the increased expenditures required to implement this bill and AB 347.

- 2) The Department of Justice anticipates costs of an unknown, but potentially significant amount, due to the potential for increased referrals from DTSC, its client agency (Legal Services Revolving Fund).

COMMENTS:

- 1) **Purpose.** According to the author:

California has long been a national leader in regulating harmful chemicals, so this bill is the natural next step in this fight. PFAS is impacting our communities, our environment, and utility ratepayers. This issue is quickly becoming a significant and costly management concern for drinking water and wastewater utilities tasked with protecting public health and the environment. SB 682 will protect people from exposure to harmful chemicals, prevent further contamination, and will hold manufacturers accountable to produce more sustainable products without these harmful chemicals.

- 2) **Background. PFAS.** PFAS are a ubiquitous class of more than 9,000 synthetic chemicals that are linked to a variety of health harms, such as cancer, endocrine disruption, developmental and reproductive toxicity, and immune dysregulation. These chemicals are harmful at extremely low doses; contaminate the air, soil, drinking water, plants, and wildlife during production, use and, disposal; and are extremely persistent in the environment. Water testing required by the State Water Board has found that 138 water systems serving 11.8 million Californians have PFAS levels exceeding current federal limits. The Legislature has enacted several PFAS prohibitions in the last several years. This bill bans intentionally added PFAS in cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax.

New Enforcement Authority. AB 347 required DTSC, on or before January 1, 2029, to adopt regulations for the enforcement of existing prohibitions on the use of PFAS (in juvenile products, textile articles, and food packaging) and, on and after July 1, 2030, enforce and

ensure compliance with those provisions and regulations, as provided. AB 347 required manufacturers of specified products to, among other things, register with the department and pay a registration fee. The legislation also authorized DTSC to test products (or rely on third-party testing) to determine compliance, required the department to issue notices of violation, and authorized the department to assess administrative penalties and seek an injunction for violations. This bill, except as provided, folds new product categories into the enforcement framework created by AB 347. Bill supporters write, “These are products where PFAS use has been banned in other states already and for which there are cost comparable safer alternatives.”

Source Reduction and Cost of Inaction. The annual statewide cost to treat PFAS in drinking water, wastewater, and recycled water is currently unknown but it reasonable to expect the cost to be in the billions of dollars. Orange County Water District’s estimated cost of addressing PFAS in the county alone over the next 30 years is approximately \$1.8 billion. According to U.S. EPA, the nationwide cost for public water agencies to comply with the PFAS MCLs will be between \$772 million and \$1.2 billion annually. Research on the costs of PFAS conducted by the Natural Resources Defense Council (NRDC) notes that more than \$500 million has already been spent addressing PFAS contamination in California, with another \$1.13 billion in planned projects. NRDC notes that drinking water remediation for just a handful of PFAS alone “could conservatively cost local utilities between \$161 million and \$217 million annually. Worse, the social costs extend far beyond water bills. PFAS-related healthcare burdens are staggering.”

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