Ohio

Enacted Legislation

Name (bill number)	Year	PFAS Addressed	Agency Responsible	Summary of Action	Citation
HB 158	2022	"PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances, that are designed to be fully functional in class B firefighting foam formulations.	Department of Commerce, Division of State Fire Marshal	Prohibits the use of class B firefighting foam containing intentionally added PFAS for testing and training purposes, with limited exceptions. The bill allows for the use of such foams only in emergencies and under specific containment and disposal measures if used for training due to regulatory requirements.	Ohio Rev. Code 3737.52

Enacted Regulations

Name	Year	PFAS Addressed	Authorizing Statute	Summary of Action	Citation
Water Well Standards	2022	PFBS, PFHxS, PFNA, PFOA, PFOS	Ohio Rev. Code. § 6109.07	Samples must be collected and analyzed from new public water system wells for contaminants following the conclusion of the pumping test. The list of contaminants includes 5 types of PFAS.	Rule 3745-9-09; OAC 3745-9-09, App. A and B **Status:** Effective as of September 1, 2022 **Responsible Agency:** Ohio EPA

Other Administrative Action (executive orders, fish advisories, drinking water advisories)

What	Year	Who	PFAS Addressed	Summary of Action
Ohio PFAS Action Plan	2019; 2021	Ohio EPA/ODH	All PFAS	In 2019, at the direction of the Ohio Governor, agencies developed Ohio PFAS Action Plan 1.0, which prioritized the testing of water in Ohio's nearly 1,500 public water systems and included the development of Drinking Water Action Levels. Action Plan 2.0, released in 2021, outlines the next steps in the state's strategy to comprehensively address PFAS from previous state efforts. Website
Drinking Water Action Levels	2019 (last updated 2024)	Ohio EPA	PFOS, PFOA, GenX, PFBS PFHxS, PFNA	In the PFAS Action Plan 1.0, Ohio EPA established Action Levels for six types of PFAS. EPA used U.S. EPA's Health Advisory Level for PFOA and PFOS (70 ppt) and developed Action Levels for four additional compounds (PFNA, GenX, PFBS, PFHxS). Those levels, provided in the Ohio PFAS Action Plan, are: GenX compound (>700 ppt), PFBS (>140,000 ppt), PFHxS (>140 ppt) and PFNA (>21 ppt). These Action Levels were updated in 2024 to to match the new federal EPA standards.

Other State Actions (fact sheets, planning, research, etc)

What/Title	Year	PFAS Addressed	Summary of Action	Status
Statewide PFAS River Survey	2023	All	Ohio EPA allocated approximately $1.59 million for a statewide assessment of PFAS in Ohio's large rivers as part of the H2Ohio Rivers Program, marking the first such study in the state. The assessment involves sampling 151 river locations for PFAS in the water column, fish body and fillet tissue, and macroinvertebrate tissue.	The study began in fall 2023 and aims to complete by fall 2024.

Proposed Legislation

What/Title	Year	PFAS Addressed	Summary of Action	Status
HB 328	2019	PFAS Chemicals	Would prohibit the use of Class B fire fighting foams with intentionally added PFAS chemicals for testing and training purposes.	Passed the House on 12/8/20. Introduced in Senate, but died due to inaction.
HB 497	2020	Per- and polyfluoroalkyl substances	Would require the director of the Department of Environmental Protection to set Maximum Contaminant Levels (MCLs) for several types of PFAS and other chemicals in drinking water.	Referred to House Health Committee. Died due to inaction.
HB 365	2021	Per- and polyfluoroalkyl substances	*Same as HB 497* Would require the director of the Department of Environmental Protection to set Maximum Contaminant Levels (MCLs) for several types of PFAS and other chemicals in drinking water.	Referred to Agriculture and Conservation Committee. Died due to inaction.

Proposed Regulation

What/Title	Year	PFAS Addressed	Summary of Action	Status
PFAS MCL Rulemaking	2024	PFOA, PFOS, PFNA, GenX (HFPO-DA), PFHxS, and PFBS	Ohio EPA's Division of Drinking and Ground Waters has started the rule-making process to establish PFAS MCLs to meet or exceed U.S. EPA standards.	This process will include multiple public input opportunities and is expected to finalize by spring 2027.

Cases

In re E. I. du Pont de Nemours & Co. C-8 Pers. Inj. Litig., 54 F.4th 912 (6th Cir. 2022). Testicular and kidney cancer patients and their spouses asserted claims against chemical manufacturer for personal injury and loss of consortium as part of multi-district litigation (MDL) concerning contamination of drinking water with C-8 or perfluorooctanoic acid (PFOA). The United States District Court for the Southern District of Ohio, (529 F.Supp.3d 720 (2021)), partially granted manufacturer's motions for directed verdict, new trial, or remittitur and entered judgment on jury verdict in favor of testicular cancer patient. Manufacturer appealed. Court of Appeals held, among other things, that two-year statute of limitations did not bar suit because it did not begin to run at the time of media coverage, but rather from the time the patient learned about link from father and some suggested he see a lawyer.

Washington Works/DuPont Settlement

The Ohio Attorney General filed a lawsuit in February 2018 against DuPont for PFAS contamination from its Washington Works plant in Parkersburg, West Virginia, just across the border from Ohio. In November 2023, the state reached a $110 million settlement with DuPont. The settlement establishes an environmental restoration fund, with the $110 million to be allocated as follows: 80% to address pollution from the Washington Works plant; 16% to address damages from firefighting foam; and 4% to mitigate damages to natural resources. As part of Ohio's PFAS Action Plan 2.0, Ohio EPA is meeting with communities identified in the settlement on potential remediation projects.