

INTERIM JOINT COMMITTEE ON NATURAL RESOURCES AND ENERGY

Minutes of the 1st Meeting of the 2026 Interim

June 4, 2026

Call to Order and Roll Call

The first meeting of the Interim Joint Committee on Natural Resources and Energy was held on June 4, 2026, at 1:00 PM ET/12:00 PM CT in Room 154 of the Capitol Annex. Representative Jim Gooch Jr., Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Brandon Smith, Co-Chair; Representative Jim Gooch Jr., Co-Chair; Senators Greg Elkins, Rick Girdler, Keturah J. Herron, Scott Madon, Robby Mills, Stephen West, Phillip Wheeler, and Gex Williams; and Representatives John Blanton, Adam Bowling, Randy Bridges, Patrick Flannery, Chris Fugate, Erika Hancock, Bobby McCool, Suzanne Miles, Adam Moore, Tom Smith, Bill Wesley, Mitch Whitaker, and Richard White.

Guests: Representative Nima Kulkarni; Amanda LeFevre, Deputy Commissioner, Department of Environmental Protection, Energy and Environment Cabinet (EEC); and Rusty Cress, Dinsmore.

LRC Staff: Stefan Kasacavage, Kayla Carroway, Tanya Monsanto, and Rachel Hartley.

Discussion of Per- and Poly-Fluoroalkyl Substances (PFAS)

Representative Kulkarni outlined the reasons why she has pursued PFAS legislation since 2021. She described PFAS' persistence, bioaccumulation, and multiple exposure pathways, including industrial emissions and wastewater. Forty states have acted to address PFAS exposure, with varying approaches, while the federal government has not yet finalized any standard guidelines. Representative Kulkarni highlighted Maine's ban of PFAS and funding for farmers, testing capacity, and research.

Representative Kulkarni believes Kentucky needs a tailored, health-focused PFAS strategy that prioritizes communities and workers with the greatest exposure. As part of this strategy, Representative Kulkarni proposes establishing a PFAS working group, requiring the EEC to promulgate administrative regulations establishing maximum PFAS

limits and monitoring requirements for drinking water in Kentucky, and mandating manufacturers disclose when PFAS are intentionally added to a product sold in Kentucky.

Co-Chair Smith expressed the need to balance public health with industrial realities. He raised concerns about Representative Kulkarni's previously filed PFAS legislation, 2026 RS HB 196, including that it concentrated too much authority in the secretary of the EEC and it contained civil liability language that could impact manufacturers and county judge/executives.

In response to Senator Herron, Representative Kulkarni stated the EEC should compile a list to guide funding based on counties with the highest PFAS levels.

In response to Senator West, Representative Kulkarni stated the intent of wastewater facilities not refusing PFAS sewage is disclosure and tracking, not mandating acceptance beyond capacity.

In response to Senator Wheeler, Representative Kulkarni stated intentionally added PFAS covers additives sought for a specific function when not necessary to the product's core function. She also noted that exclusions for medical necessity and essential components are part of ongoing discussions related to the bill.

Representative Smith highlighted the clusters of pediatric cancer in his district and inquired about how states with bans on PFAS manage disposal. Representative Kulkarni stated the bill does not prescribe remedies, and centers its purpose on convening a working group to assess exposure health links, identify hotspots, and generate recommendations tailored to local conditions.

Co-Chair Smith proposed a model, similar to the federal superfund program established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which would encourage self-reporting by businesses. Representative Kulkarni stated companies impacted by the bill are some of the most important stakeholders in the discussion to sustain businesses and protect communities.

Senator Williams requested removing or reworking the language prohibiting the refusal of PFAS contaminated sewage to avoid shifting burdens to municipal plants.

Senator Elkins requested narrowing the scope of PFAS reporting given their ubiquity across products. Representative Kulkarni indicated an openness to focus on impacts,

accommodate medical necessity exclusions, and differentiate necessary function uses from intentionally added chemicals.

Amanda LeFevre, Deputy Commissioner, Department of Environmental Protection, EEC, presented on the EEC's response to PFAS and outlined the persistence of PFAS and its groundwater mobility. The EEC began sampling drinking water in 2019 and of the 81 water treatment plants sampled, 41 detected PFAS.

In 2024, the United States Environmental Protection Agency (EPA) issued proposed national primary drinking water regulations to set specific maximum contaminant levels (MCLs) for certain PFAS. The EEC is currently monitoring 17 water systems with at least one result above the current EPA MCLs.

Ms. LeFevre provided an overview of the costs associated with drinking water treatment for PFAS, which would include initial costs to install treatment options and annual operation and maintenance costs. Ms. LeFevre also discussed EPA-approved treatment options and federal and state funding for treatment of PFAS in drinking water.

In response to Representative Moore, Ms. LeFevre said public notification regarding PFAS in drinking water is only required after the initial monitoring to determine PFAS levels.

In response to Co-Chair Smith, Ms. LeFevre provided a brief overview of disposal methods for PFAS and spoke about how the EEC is identifying and mitigating non-municipal exposures, such as private well users, which are not regulated by the EPA.

In response to Representative White, Ms. LeFevre stated most of the detection of PFAS originate from source waters rather than additives, such as fluoride.

Senator Mills noted a major regional polluter in Henderson, which is a Teflon recycling facility, and praised the collaborative clean-up process between the facility and the EPA.

Rusty Cress, Dinsmore, spoke on the difference between long-chain PFAS and short-chain PFAS, and stated that long-chain PFAS were phased out domestically years ago due to bioaccumulation concerns. Short-chain PFAS alternatives are now widely used.

Mr. Cress highlighted 2024 RS SJR 149, which directs the EEC to provide guidance and consultation on best management practices for PFAS to entities that discharge directly or indirectly into Kentucky waterways.

Mr. Cress stated that existing studies show probable, but not proven, links for some health outcomes and urges deferring to the EPA to complete scientific reviews.

Chair Gooch spoke on the need for effective foams for high-hazard fires and tailoring Kentucky's approach to PFAS to avoid a one-size-fits-all federal outcome.

Representative McCool raised concerns regarding PFAS exposure to children.

Representative Hancock voiced support for Representative Kulkarni's proposal for a working group to study PFAS in Kentucky.

Chair Gooch acknowledged the referred administrative regulations and reports received by the committee.

Adjournment

There being no further business, the meeting was adjourned.