

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 1507

To include certain perfluoroalkyl and polyfluoroalkyl substances in the toxics release inventory, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. BARRASSO (for himself and Mr.
CARPER)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “PFAS Release Disclosure and Protection Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Administrator.

TITLE I—PFAS RELEASE DISCLOSURE

Sec. 101. Additions to toxics release inventory.

TITLE II—DRINKING WATER

- Sec. 201. National primary drinking water regulations for PFAS.
- Sec. 202. Monitoring and detection.
- Sec. 203. Enforcement.
- Sec. 204. Drinking water state revolving funds.

TITLE III—PFAS DETECTION

- Sec. 301. Definitions.
- Sec. 302. Performance standard for the detection of perfluorinated compounds.
- Sec. 303. Nationwide sampling.
- Sec. 304. Data usage.
- Sec. 305. Collaboration.
- Sec. 306. Authorization of appropriations.

TITLE IV—SAFE DRINKING WATER ASSISTANCE

- Sec. 401. Definitions.
- Sec. 402. Research and coordination plan for enhanced response on emerging contaminants.

TITLE V—MISCELLANEOUS

- Sec. 501. Department of Defense authorities.
- Sec. 502. PFAS data call.
- Sec. 503. Significant new use rule for long-chain PFAS.
- Sec. 504. PFAS destruction and disposal guidance.
- Sec. 505. PFAS research and development.

1 **SEC. 2. DEFINITION OF ADMINISTRATOR.**

2 In this Act, the term “Administrator” means the Ad-
3 ministrator of the Environmental Protection Agency.

4 **TITLE I—PFAS RELEASE** 5 **DISCLOSURE**

6 **SEC. 101. ADDITIONS TO TOXICS RELEASE INVENTORY.**

7 (a) **DEFINITIONS.**—In this section:

8 (1) **ADMINISTRATOR.**—The term “Adminis-
9 trator” means the Administrator of the Environ-
10 mental Protection Agency.

11 (2) **TOXICS RELEASE INVENTORY.**—The term
12 “toxics release inventory” means the toxics release
13 inventory under section 313(c) of the Emergency

1 Planning and Community Right-To-Know Act of
2 1986 (42 U.S.C. 11023(e)).

3 (b) IMMEDIATE INCLUSION.—

4 (1) IN GENERAL.—Subject to subsection (e),
5 beginning January 1 of the calendar year following
6 the date of enactment of this Act, the following
7 chemicals shall be deemed to be included in the
8 toxics release inventory:

9 (A) Perfluorooctanoic acid (commonly re-
10 ferred to as “PFOA”) (Chemical Abstracts
11 Service No. 335–67–1).

12 (B) The salt associated with the chemical
13 described in subparagraph (A) (Chemical Ab-
14 stracts Service No. 3825–26–1).

15 (C) Perfluorooctane sulfonic acid (com-
16 monly referred to as “PFOS”) (Chemical Ab-
17 stracts Service No. 1763–23–1).

18 (D) The salts associated with the chemical
19 described in subparagraph (C) (Chemical Ab-
20 stract Service Nos. 45298–90–6, 29457–72–5,
21 56773–42–3, 29081–56–9, 4021–47–0,
22 111873–33–7, and 91036–71–4).

23 (E) A perfluoroalkyl or polyfluoroalkyl sub-
24 stance or class of perfluoroalkyl or
25 polyfluoroalkyl substances that is—

1 (i) listed as an active chemical sub-
2 stance in the February 2019 update to the
3 inventory under section 8(b)(1) of the
4 Toxic Substances Control Act (15 U.S.C.
5 2607(b)(1)); and

6 (ii) on the date of enactment of this
7 Act, subject to the provisions of—

8 (I) section 721.9582 of title 40,
9 Code of Federal Regulations; or

10 (II) section 721.10536 of title
11 40, Code of Federal Regulations.

12 (2) THRESHOLD FOR REPORTING.—

13 (A) IN GENERAL.—Subject to subpara-
14 graph (B), the threshold for reporting the
15 chemicals described in paragraph (1) under sec-
16 tion 313(f)(1) of the Emergency Planning and
17 Community Right-To-Know Act of 1986 (42
18 U.S.C. 11023(f)(1)) is 100 pounds.

19 (B) REVISIONS.—Not later than 5 years
20 after the date of enactment of this Act, the Ad-
21 ministrator shall—

22 (i) determine whether revision of the
23 threshold under subparagraph (A) is war-
24 ranted; and

1 (ii) if the Administrator determines a
2 revision to be warranted under clause (i),
3 initiate a revision under section 313(f)(2)
4 of the Emergency Planning and Commu-
5 nity Right-To-Know Act of 1986 (42
6 U.S.C. 11023(f)(2)).

7 (c) INCLUSION FOLLOWING ASSESSMENT.—

8 (1) IN GENERAL.—Subject to subsection (e), a
9 perfluoroalkyl or polyfluoroalkyl substance or class
10 of perfluoroalkyl or polyfluoroalkyl substances shall
11 be automatically included in the toxics release inven-
12 tory beginning January 1 of the calendar year after
13 any of the following dates:

14 (A) ESTABLISHMENT OF TOXICITY
15 VALUE.—The date on which the Administrator
16 establishes a toxicity value for the
17 perfluoroalkyl or polyfluoroalkyl substance or
18 class of perfluoroalkyl or polyfluoroalkyl sub-
19 stances.

20 (B) SIGNIFICANT NEW USE RULE.—The
21 date on which the Administrator finalizes a sig-
22 nificant new use rule under subsection (a)(2) of
23 section 5 of the Toxic Substances Control Act
24 (15 U.S.C. 2604), except a significant new use
25 rule promulgated in connection with an order

1 issued under subsection (e) of that section, for
2 the perfluoroalkyl or polyfluoroalkyl substance
3 or class of perfluoroalkyl or polyfluoroalkyl sub-
4 stances.

5 (C) ADDITION TO EXISTING SIGNIFICANT
6 NEW USE RULE.—The date on which the
7 perfluoroalkyl or polyfluoroalkyl substance or
8 class of perfluoroalkyl or polyfluoroalkyl sub-
9 stances is added to a list of substances covered
10 by a significant new use rule previously promul-
11 gated under subsection (a)(2) of section 5 of
12 the Toxic Substances Control Act (15 U.S.C.
13 2604), except a significant new use rule pro-
14 mulgated in connection with an order issued
15 under subsection (e) of that section.

16 (D) ADDITION AS ACTIVE CHEMICAL SUB-
17 STANCE.—The date on which the perfluoroalkyl
18 or polyfluoroalkyl substance or class of
19 perfluoroalkyl or polyfluoroalkyl substances that
20 is on a list of substances covered by a signifi-
21 cant new use rule under subsection (a)(2) of
22 section 5 of the Toxic Substances Control Act
23 (15 U.S.C. 2604), except a significant new use
24 rule promulgated in connection with an order
25 issued under subsection (e) of that section, is—

1 (i) added to the inventory under sub-
2 section (b)(1) of section 8 of the Toxic
3 Substances Control Act (15 U.S.C. 2607)
4 and designated as an active chemical sub-
5 stance under subsection (b)(5)(A) of that
6 section; or

7 (ii) designated as an active chemical
8 substance on the inventory in accordance
9 with subsection (b)(5)(B) of that section.

10 (2) THRESHOLD FOR REPORTING.—

11 (A) IN GENERAL.—Subject to subpara-
12 graph (B), the threshold for reporting under
13 section 313(f)(1) of the Emergency Planning
14 and Community Right-To-Know Act of 1986
15 (42 U.S.C. 11203(f)(1)) the substances and
16 classes of substances included in the toxics re-
17 lease inventory under paragraph (1) is 100
18 pounds.

19 (B) REVISIONS.—Not later than 5 years
20 after the date of enactment of this Act, the Ad-
21 ministrator shall—

22 (i) determine whether revision of the
23 thresholds under subparagraph (A) is war-
24 ranted; and

1 (ii) if the Administrator determines a
2 revision to be warranted under clause (i),
3 initiate a revision under section 313(f)(2)
4 of the Emergency Planning and Commu-
5 nity Right-To-Know Act of 1986 (42
6 U.S.C. 11023(f)(2)).

7 (d) INCLUSION FOLLOWING DETERMINATION.—

8 (1) IN GENERAL.—To the extent not already
9 subject to subsection (b), not later than 2 years
10 after the date of enactment of this Act, the Adminis-
11 trator shall determine whether the substances and
12 classes of substances described in paragraph (2)
13 meet the criteria described in section 313(d)(2) of
14 the Emergency Planning and Community Right-To-
15 Know Act of 1986 (42 U.S.C. 11023(d)(2)) for in-
16 clusion in the toxics release inventory.

17 (2) SUBSTANCES DESCRIBED.—The substances
18 and classes of substances referred to in paragraph
19 (1) are perfluoroalkyl and polyfluoroalkyl substances
20 and classes of perfluoroalkyl and polyfluoroalkyl sub-
21 stances, including—

22 (A) hexafluoropropylene oxide dimer acid
23 (Chemical Abstracts Service No. 13252-13-6);

24 (B) the compounds associated with the
25 chemical described in subparagraph (A) (Chem-

1 ical Abstracts Service Nos. 62037-80-3 and
2 2062-98-8);

3 (C) perfluoro[(2-pentafluoroethoxy-
4 ethoxy)acetic acid] ammonium salt (Chemical
5 Abstracts Service No. 908020-52-0);

6 (D) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-
7 hexafluoro)-2-(trifluoromethoxy) propanoyl fluo-
8 ride (Chemical Abstracts Service No. 2479-75-
9 6);

10 (E) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-
11 hexafluoro)-2-(trifluoromethoxy) propionic acid
12 (Chemical Abstracts Service No. 2479-73-4);

13 (F) 3H-perfluoro-3-[(3-methoxy-propoxy)
14 propanoic acid] (Chemical Abstracts Service
15 No. 919005-14-4);

16 (G) the salts associated with the chemical
17 described in subparagraph (F) (Chemical Ab-
18 stracts Service Nos. 958445-44-8, 1087271-
19 46-2, and NOCAS__892452);

20 (H) 1-octanesulfonic acid
21 3,3,4,4,5,5,6,6,7,7,8,8-tridecafluoro-potassium
22 salt (Chemical Abstracts Service No. 59587-
23 38-1);

24 (I) perfluorobutanesulfonic acid (Chemical
25 Abstracts Service No. 375-73-5);

1 (J) 1-Butanesulfonic acid,
2 1,1,2,2,3,3,4,4,4-nonafluoro-potassium salt
3 (Chemical Abstracts Service No. 29420-49-3);

4 (K) the component associated with the
5 chemical described in subparagraph (J) (Chem-
6 ical Abstracts Service No. 45187-15-3);

7 (L) heptafluorobutyric acid (Chemical Ab-
8 stracts Service No. 375-22-4);

9 (M) perfluorohexanoic acid (Chemical Ab-
10 stracts Service No. 307-24-4);

11 (N) each perfluoroalkyl or polyfluoroalkyl
12 substance or class of perfluoroalkyl or
13 polyfluoroalkyl substances for which a method
14 to measure levels in drinking water has been
15 validated by the Administrator; and

16 (O) a perfluoroalkyl and polyfluoroalkyl
17 substance or class of perfluoroalkyl or
18 polyfluoroalkyl substances other than the
19 chemicals described in subparagraphs (A)
20 through (N) that is used to manufacture
21 fluoropolymers, as determined by the Adminis-
22 trator.

23 (3) ADDITION TO TOXICS RELEASE INVEN-
24 TORY.—Subject to subsection (e), if the Adminis-
25 trator determines under paragraph (1) that a sub-

1 stance or a class of substances described in para-
2 graph (2) meets the criteria described in section
3 313(d)(2) of the Emergency Planning and Commu-
4 nity Right-To-Know Act of 1986 (42 U.S.C.
5 11023(d)(2)), the Administrator shall revise the
6 toxics release inventory to include that substance or
7 class of substances not later than 2 years after the
8 date on which the Administrator makes the deter-
9 mination.

10 (e) CONFIDENTIAL BUSINESS INFORMATION.—

11 (1) IN GENERAL.—Prior to including on the
12 toxics release inventory pursuant to subsection
13 (b)(1), (c)(1), or (d)(3) any perfluoroalkyl or
14 polyfluoroalkyl substance or class of perfluoroalkyl
15 or polyfluoroalkyl substances the chemical identity of
16 which is subject to a claim of a person of protection
17 from disclosure under subsection (a) of section 552
18 of title 5, United States Code, pursuant to sub-
19 section (b)(4) of that section, the Administrator
20 shall—

21 (A) review that claim of protection from
22 disclosure; and

23 (B) require that person to reassert and
24 substantiate or resubstantiate that claim in ac-

1 cordance with section 14(f) of the Toxic Sub-
2 stances Control Act (15 U.S.C. 2613(f)).

3 (2) NONDISCLOSURE OF PROTECTED INFORMA-
4 TION.—If the Administrator determines that the
5 chemical identity of a perfluoroalkyl or
6 polyfluoroalkyl substance or class of perfluoroalkyl
7 or polyfluoroalkyl substances qualifies for protection
8 from disclosure under paragraph (1), the Adminis-
9 trator shall include the substance or class of sub-
10 stances, as applicable, on the toxics release inventory
11 in a manner that does not disclose the protected in-
12 formation.

13 (f) EMERGENCY PLANNING AND COMMUNITY RIGHT-
14 TO-KNOW ACT OF 1986.—Section 313(c) of the Emer-
15 gency Planning and Community Right-To-Know Act of
16 1986 (42 U.S.C. 11023(c)) is amended—

17 (1) by striking the period at the end and insert-
18 ing “; and”;

19 (2) by striking “are those chemicals” and in-
20 sserting the following: “are—

21 “(1) the chemicals”; and

22 (3) by adding at the end the following:

23 “(2) the chemicals included under subsections
24 (b)(1), (c)(1), and (d)(3) of section 101 of the

1 PFAS Release Disclosure and Protection Act of
2 2019.”.

3 **TITLE II—DRINKING WATER**

4 **SEC. 201. NATIONAL PRIMARY DRINKING WATER REGULA-**
5 **TIONS FOR PFAS.**

6 Section 1412(b)(2) of the Safe Drinking Water Act
7 (42 U.S.C. 300g–1(b)(2)) is amended by adding at the
8 end the following:

9 “(D) PERFLUOROALKYL AND
10 POLYFLUOROALKYL SUBSTANCES.—

11 “(i) IN GENERAL.—Not later than 2
12 years after the date of enactment of this
13 subparagraph, the Administrator shall pro-
14 mulgate a national primary drinking water
15 regulation for perfluoroalkyl and
16 polyfluoroalkyl substances, which shall, at
17 a minimum, include standards for—

18 “(I) perfluorooctanoic acid (com-
19 monly referred to as ‘PFOA’); and

20 “(II) perfluorooctane sulfonic
21 acid (commonly referred to as
22 ‘PFOS’).

23 “(ii) ALTERNATIVE PROCEDURES.—

24 “(I) IN GENERAL.—Not later
25 than 1 year after the validation by the

1 Administrator of an equally effective
2 quality control and testing procedure
3 to ensure compliance with that na-
4 tional primary drinking water regula-
5 tion to measure the levels described in
6 subclause (II) or other methods to de-
7 tect and monitor perfluoroalkyl and
8 polyfluoroalkyl substances in drinking
9 water, the Administrator shall add the
10 procedure or method as an alternative
11 to the quality control and testing pro-
12 cedure described in that national pri-
13 mary drinking water regulation by
14 publishing the procedure or method in
15 the Federal Register.

16 “(II) LEVELS DESCRIBED.—The
17 levels referred to in subclause (I)
18 are—

19 “(aa) the level of a
20 perfluoroalkyl or polyfluoroalkyl
21 substance;

22 “(bb) the total levels of
23 perfluoroalkyl and polyfluoroalkyl
24 substances; and

1 “(cc) the total levels of or-
2 ganic fluorine.

3 “(iii) INCLUSIONS.—The Adminis-
4 trator may include a perfluoroalkyl or
5 polyfluoroalkyl substance or class of
6 perfluoroalkyl or polyfluoroalkyl substances
7 on—

8 “(I) the list of contaminants for
9 consideration of regulation under
10 paragraph (1)(B)(i); and

11 “(II) the list of unregulated con-
12 taminants to be monitored under sec-
13 tion 1445(a)(2)(B)(i).

14 “(iv) MONITORING.—When estab-
15 lishing monitoring requirements for public
16 water systems as part of a national pri-
17 mary drinking water regulation under
18 clause (i) or clause (vi)(II), the Adminis-
19 trator shall tailor the monitoring require-
20 ments for public water systems that do not
21 detect or are reliably and consistently
22 below the maximum contaminant level (as
23 defined in section 1418(b)(2)(B)) for the
24 perfluoroalkyl or polyfluoroalkyl substance
25 or class of perfluoroalkyl or polyfluoroalkyl

1 substances subject to the national primary
2 drinking water regulation.

3 “(v) HEALTH RISK REDUCTION AND
4 COST ANALYSIS.—In meeting the require-
5 ments of paragraph (3)(C), the Adminis-
6 trator may rely on information available to
7 the Administrator with respect to 1 or
8 more specific perfluoroalkyl or
9 polyfluoroalkyl substances to extrapolate
10 reasoned conclusions regarding the health
11 risks and effects of a class of
12 perfluoroalkyl or polyfluoroalkyl substances
13 of which the specific perfluoroalkyl or
14 polyfluoroalkyl substances are a part.

15 “(vi) REGULATION OF ADDITIONAL
16 SUBSTANCES.—

17 “(I) DETERMINATION.—The Ad-
18 ministrator shall make a determina-
19 tion under paragraph (1)(A), using
20 the criteria described in clauses (i)
21 through (iii) of that paragraph,
22 whether to include a perfluoroalkyl or
23 polyfluoroalkyl substance or class of
24 perfluoroalkyl or polyfluoroalkyl sub-
25 stances in the national primary drink-

1 ing water regulation under clause (i)
2 not later than 18 months after the
3 later of—

4 “(aa) the date on which the
5 perfluoroalkyl or polyfluoroalkyl
6 substance or class of
7 perfluoroalkyl or polyfluoroalkyl
8 substances is listed on the list of
9 contaminants for consideration of
10 regulation under paragraph
11 (1)(B)(i); and

12 “(bb) the date on which—

13 “(AA) the Adminis-
14 trator has received the re-
15 sults of monitoring under
16 section 1445(a)(2)(B) for
17 the perfluoroalkyl or
18 polyfluoroalkyl substance or
19 class of perfluoroalkyl or
20 polyfluoroalkyl substance; or

21 “(BB) the Adminis-
22 trator has received finished
23 water data or finished water
24 monitoring surveys for the
25 perfluoroalkyl or

1 polyfluoroalkyl substance or
2 class of perfluoroalkyl or
3 polyfluoroalkyl substances
4 from a Federal or State
5 agency that the Adminis-
6 trator determines to be suf-
7 ficient to make a determina-
8 tion under paragraph
9 (1)(A).

10 “(II) PRIMARY DRINKING WATER
11 REGULATIONS.—

12 “(aa) IN GENERAL.—For
13 each perfluoroalkyl or
14 polyfluoroalkyl substance or class
15 of perfluoroalkyl or
16 polyfluoroalkyl substances that
17 the Administrator determines to
18 regulate under subclause (I), the
19 Administrator—

20 “(AA) not later than 18
21 months after the date on
22 which the Administrator
23 makes the determination,
24 shall propose a national pri-
25 mary drinking water regula-

1 tion for the perfluoroalkyl or
2 polyfluoroalkyl substance or
3 class of perfluoroalkyl or
4 polyfluoroalkyl substances;
5 and

6 “(BB) may publish the
7 proposed national primary
8 drinking water regulation
9 described in subitem (AA)
10 concurrently with the publi-
11 cation of the determination
12 to regulate the
13 perfluoroalkyl or
14 polyfluoroalkyl substance or
15 class of perfluoroalkyl or
16 polyfluoroalkyl substances.

17 “(bb) DEADLINE.—

18 “(AA) IN GENERAL.—
19 Not later than 1 year after
20 the date on which the Ad-
21 ministrators publishes a pro-
22 posed national primary
23 drinking water regulation
24 under item (aa)(AA) and
25 subject to subitem (BB), the

1 Administrator shall take
2 final action on the proposed
3 national primary drinking
4 water regulation.

5 “(BB) EXTENSION.—
6 The Administrator, on publi-
7 cation of notice in the Fed-
8 eral Register, may extend
9 the deadline under subitem
10 (AA) by not more than 6
11 months.

12 “(vii) LIFETIME DRINKING WATER
13 HEALTH ADVISORY.—

14 “(I) IN GENERAL.—Subject to
15 subclause (II), the Administrator shall
16 publish a health advisory under para-
17 graph (1)(F) for a perfluoroalkyl or
18 polyfluoroalkyl substance or class of
19 perfluoroalkyl or polyfluoroalkyl sub-
20 stances not later than 1 year after the
21 later of—

22 “(aa) the date on which the
23 Administrator finalizes a toxicity
24 value for the perfluoroalkyl or
25 polyfluoroalkyl substance or class

1 of perfluoroalkyl or
2 polyfluoroalkyl substances; and

3 “(bb) the date on which the
4 Administrator validates an effective quality control and testing
5 procedure for the perfluoroalkyl
6 or polyfluoroalkyl substance or
7 class of perfluoroalkyl or
8 polyfluoroalkyl substance, if such
9 a procedure did not exist on the
10 date on which the toxicity value
11 described in item (aa) was finalized.
12
13

14 “(II) WAIVER.—The Administrator may waive the requirements of
15 subclause (I) with respect to a
16 perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl and
17 polyfluoroalkyl substances if the Administrator determines that there is a
18 substantial likelihood that the
19 perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or
20 polyfluoroalkyl substances will not
21 occur in drinking water.”.
22
23
24
25

1 **SEC. 202. MONITORING AND DETECTION.**

2 (a) MONITORING PROGRAM FOR UNREGULATED
3 CONTAMINANTS.—

4 (1) IN GENERAL.—The Administrator shall in-
5 clude each substance described in paragraph (2) in
6 the fifth publication of the list of unregulated con-
7 taminants to be monitored under section
8 1445(a)(2)(B)(i) of the Safe Drinking Water Act
9 (42 U.S.C. 300j-4(a)(2)(B)(i)).

10 (2) SUBSTANCES DESCRIBED.—The substances
11 referred to in paragraph (1) are perfluoroalkyl and
12 polyfluoroalkyl substances and classes of
13 perfluoroalkyl and polyfluoroalkyl substances—

14 (A) for which a method to measure the
15 level in drinking water has been validated by
16 the Administrator; and

17 (B) that are not subject to a national pri-
18 mary drinking water regulation under clause (i)
19 or (vi)(II) of subparagraph (D) of section
20 1412(b)(2) of the Safe Drinking Water Act (42
21 U.S.C. 300g-1(b)(2)).

22 (3) EXCEPTION.—The perfluoroalkyl and
23 polyfluoroalkyl substances and classes of
24 perfluoroalkyl and polyfluoroalkyl substances in-
25 cluded in the list of unregulated contaminants to be
26 monitored under section 1445(a)(2)(B)(i) of the

1 Safe Drinking Water Act (42 U.S.C. 300j–
2 4(a)(2)(B)(i)) under paragraph (1) shall not count
3 towards the limit of 30 unregulated contaminants to
4 be monitored by public water systems under that
5 section.

6 (b) APPLICABILITY.—

7 (1) IN GENERAL.—The Administrator shall—

8 (A) require public water systems serving
9 more than 10,000 persons to monitor for the
10 substances described in subsection (a)(2);

11 (B) subject to paragraph (2) and the avail-
12 ability of appropriations, require public water
13 systems serving not fewer than 3,300 and not
14 more than 10,000 persons to monitor for the
15 substances described in subsection (a)(2); and

16 (C) subject to paragraph (2) and the avail-
17 ability of appropriations, ensure that only a
18 representative sample of public water systems
19 serving fewer than 3,300 persons are required
20 to monitor for the substances described in sub-
21 section (a)(2).

22 (2) REQUIREMENT.—If the Administrator de-
23 termines that there is not sufficient laboratory ca-
24 pacity to carry out the monitoring required under
25 subparagraphs (B) and (C) of paragraph (1), the

1 Administrator may waive the monitoring require-
2 ments in those subparagraphs.

3 (3) FUNDS.—The Administrator shall pay the
4 reasonable cost of such testing and laboratory anal-
5 ysis as is necessary to carry out the monitoring re-
6 quired under paragraph (1) from—

7 (A) funds made available under subsection
8 (a)(2)(H) or (j)(5) of section 1445 of the Safe
9 Drinking Water Act (42 U.S.C. 300j–4); or

10 (B) any other funds made available for
11 that purpose.

12 **SEC. 203. ENFORCEMENT.**

13 Notwithstanding any other provision of law, the Ad-
14 ministrator may not impose financial penalties for the vio-
15 lation of a national primary drinking water regulation (as
16 defined in section 1401 of the Safe Drinking Water Act
17 (42 U.S.C. 300f)) with respect to a perfluoroalkyl or
18 polyfluoroalkyl substance or class of perfluoroalkyl or
19 polyfluoroalkyl substances for which a national primary
20 drinking water regulation has been promulgated under
21 clause (i) or (vi) of subparagraph (D) of section
22 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C.
23 300g–1(b)(2)) earlier than the date that is 5 years after
24 the date on which the Administrator promulgates the na-
25 tional primary drinking water regulation.

1 **SEC. 204. DRINKING WATER STATE REVOLVING FUNDS.**

2 Section 1452 of the Safe Drinking Water Act (42
3 U.S.C. 300j-12) is amended—

4 (1) in subsection (a)(2), by adding at the end
5 the following:

6 “(G) EMERGING CONTAMINANTS.—

7 “(i) IN GENERAL.—Subject to clause
8 (ii), amounts deposited under subsection
9 (t) in a State loan fund established under
10 this section may be used to provide grants
11 for the purpose of addressing emerging
12 contaminants, with a focus on
13 perfluoroalkyl and polyfluoroalkyl sub-
14 stances.

15 “(ii) REQUIREMENTS.—

16 “(I) SMALL AND DISADVAN-
17 TAGED COMMUNITIES.—Not less than
18 25 percent of the amounts described
19 in clause (i) shall be used to provide
20 grants to—

21 “(aa) disadvantaged commu-
22 nities (as defined in subsection
23 (d)(3)); or

24 “(bb) public water systems
25 serving fewer than 25,000 per-
26 sons.

1 “(II) PRIORITIES.—In selecting
2 the recipient of a grant using amounts
3 described in clause (i), a State shall
4 use the priorities described in sub-
5 section (b)(3)(A).”;

6 (2) in subsection (m)(1), in the matter pre-
7 ceding subparagraph (A), by striking “this section”
8 and inserting “this section, except for subsections
9 (a)(2)(G) and (t)”;

10 (3) by adding at the end the following:

11 “(t) EMERGING CONTAMINANTS.—

12 “(1) IN GENERAL.—Amounts made available
13 under this subsection shall be allotted to a State as
14 if allotted under subsection (a)(1)(D) as a capital-
15 ization grant, for deposit into the State loan fund of
16 the State, for the purposes described in subsection
17 (a)(2)(G).

18 “(2) AUTHORIZATION OF APPROPRIATIONS.—
19 There is authorized to be appropriated to carry out
20 this subsection \$100,000,000 for each of fiscal years
21 2020 through 2024, to remain available until ex-
22 pended.”.

23 **TITLE III—PFAS DETECTION**

24 **SEC. 301. DEFINITIONS.**

25 In this title:

1 (1) DIRECTOR.—The term “Director” means
2 the Director of the United States Geological Survey.

3 (2) PERFLUORINATED COMPOUND.—

4 (A) IN GENERAL.—The term
5 “perfluorinated compound” means a
6 perfluoroalkyl substance or a polyfluoroalkyl
7 substance that is manmade with at least 1 fully
8 fluorinated carbon atom.

9 (B) DEFINITIONS.—In this definition:

10 (i) FULLY FLUORINATED CARBON
11 ATOM.—The term “fully fluorinated carbon
12 atom” means a carbon atom on which all
13 the hydrogen substituents have been re-
14 placed by fluorine.

15 (ii) NONFLUORINATED CARBON
16 ATOM.—The term “nonfluorinated carbon
17 atom” means a carbon atom on which no
18 hydrogen substituents have been replaced
19 by fluorine.

20 (iii) PARTIALLY FLUORINATED CAR-
21 BON ATOM.—The term “partially
22 fluorinated carbon atom” means a carbon
23 atom on which some, but not all, of the hy-
24 drogen substituents have been replaced by
25 fluorine.

1 (iv) PERFLUOROALKYL SUBSTANCE.—

2 The term “perfluoroalkyl substance”
3 means a manmade chemical of which all of
4 the carbon atoms are fully fluorinated car-
5 bon atoms.

6 (v) POLYFLUOROALKYL SUB-

7 STANCE.—The term “polyfluoroalkyl sub-
8 stance” means a manmade chemical con-
9 taining a mix of fully fluorinated carbon
10 atoms, partially fluorinated carbon atoms,
11 and nonfluorinated carbon atoms.

12 **SEC. 302. PERFORMANCE STANDARD FOR THE DETECTION**
13 **OF PERFLUORINATED COMPOUNDS.**

14 (a) IN GENERAL.—The Director shall establish a per-
15 formance standard for the detection of perfluorinated
16 compounds.

17 (b) EMPHASIS.—

18 (1) IN GENERAL.—In developing the perform-
19 ance standard under subsection (a), the Director
20 shall emphasize the ability to detect as many
21 perfluorinated compounds present in the environ-
22 ment as possible using analytical methods that—

23 (A) achieve limits of quantitation (as de-
24 fined in the document of the United States Ge-
25 ological Survey entitled “Analytical Methods for

1 Chemical Analysis of Geologic and Other Mate-
2 rials, U.S. Geological Survey’’ and dated 2002);
3 and

4 (B) are as sensitive as is feasible and prac-
5 ticable.

6 (2) REQUIREMENT.—In developing the per-
7 formance standard under subsection (a), the Direc-
8 tor may—

9 (A) develop quality assurance and quality
10 control measures to ensure accurate sampling
11 and testing;

12 (B) develop a training program with re-
13 spect to the appropriate method of sample col-
14 lection and analysis of perfluorinated com-
15 pounds; and

16 (C) coordinate with the Administrator, in-
17 cluding, if appropriate, coordinating to develop
18 media-specific, validated analytical methods to
19 detect individual and different perfluorinated
20 compounds simultaneously.

21 **SEC. 303. NATIONWIDE SAMPLING.**

22 (a) IN GENERAL.—The Director shall carry out a na-
23 tionwide sampling to determine the concentration of
24 perfluorinated compounds in estuaries, lakes, streams,

1 springs, wells, wetlands, rivers, aquifers, and soil using the
2 performance standard developed under section 302(a).

3 (b) REQUIREMENTS.—In carrying out the sampling
4 under subsection (a), the Director shall—

5 (1) first carry out the sampling at sources of
6 drinking water near locations with known or sus-
7 pected releases of perfluorinated compounds;

8 (2) when carrying out sampling of sources of
9 drinking water under paragraph (1), carry out the
10 sampling prior to any treatment of the water;

11 (3) survey for ecological exposure to
12 perfluorinated compounds, with a priority in deter-
13 mining direct human exposure through drinking
14 water; and

15 (4) consult with—

16 (A) States to determine areas that are a
17 priority for sampling; and

18 (B) the Administrator—

19 (i) to enhance coverage of the sam-
20 pling; and

21 (ii) to avoid unnecessary duplication.

22 (c) REPORT.—Not later than 90 days after the com-
23 pletion of the sampling under subsection (a), the Director
24 shall prepare a report describing the results of the sam-
25 pling and submit the report to—

1 (1) the Committee on Environment and Public
2 Works and the Committee on Energy and Natural
3 Resources of the Senate;

4 (2) the Committee on Energy and Commerce of
5 the House of Representatives;

6 (3) the Senators of each State in which the Di-
7 rector carried out the sampling; and

8 (4) each Member of the House of Representa-
9 tives that represents a district in which the Director
10 carried out the sampling.

11 **SEC. 304. DATA USAGE.**

12 (a) IN GENERAL.—The Director shall provide the
13 sampling data collected under section 303 to—

14 (1) the Administrator; and

15 (2) other Federal and State regulatory agencies
16 on request.

17 (b) USAGE.—The sampling data provided under sub-
18 section (a) shall be used to inform and enhance assess-
19 ments of exposure, likely health and environmental im-
20 pacts, and remediation priorities.

21 **SEC. 305. COLLABORATION.**

22 In carrying out this title, the Director shall collabo-
23 rate with—

24 (1) appropriate Federal and State regulators;

25 (2) institutions of higher education;

1 (3) research institutions; and

2 (4) other expert stakeholders.

3 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to the Direc-
5 tor to carry out this title—

6 (1) \$5,000,000 for fiscal year 2020; and

7 (2) \$10,000,000 for each of fiscal years 2021
8 through 2024.

9 **TITLE IV—SAFE DRINKING**
10 **WATER ASSISTANCE**

11 **SEC. 401. DEFINITIONS.**

12 In this title:

13 (1) **CONTAMINANT.**—The term “contaminant”
14 means any physical, chemical, biological, or radio-
15 logical substance or matter in water.

16 (2) **CONTAMINANT OF EMERGING CONCERN;**
17 **EMERGING CONTAMINANT.**—The terms “contami-
18 nant of emerging concern” and “emerging contami-
19 nant” mean a contaminant—

20 (A) for which the Administrator has not
21 promulgated a national primary drinking water
22 regulation; and

23 (B) that may have an adverse effect on the
24 health of individuals.

1 (3) FEDERAL RESEARCH STRATEGY.—The term
2 “Federal research strategy” means the coordinated
3 cross-agency plan for addressing critical research
4 gaps related to detecting, assessing exposure to, and
5 identifying the adverse health effects of emerging
6 contaminants in drinking water developed by the Of-
7 fice of Science and Technology Policy in response to
8 the report of the Committee on Appropriations of
9 the Senate accompanying S. 1662 of the 115th Con-
10 gress (S. Rept. 115–139).

11 (4) TECHNICAL ASSISTANCE AND SUPPORT.—
12 The term “technical assistance and support” in-
13 cludes—

14 (A) assistance with—

15 (i) identifying appropriate analytical
16 methods for the detection of contaminants;

17 (ii) understanding the strengths and
18 limitations of the analytical methods de-
19 scribed in clause (i);

20 (iii) troubleshooting the analytical
21 methods described in clause (i);

22 (B) providing advice on laboratory certifi-
23 cation program elements;

24 (C) interpreting sample analysis results;

1 (D) providing training with respect to
2 proper analytical techniques;

3 (E) identifying appropriate technology for
4 the treatment of contaminants; and

5 (F) analyzing samples, if—

6 (i) the analysis cannot be otherwise
7 obtained in a practicable manner other-
8 wise; and

9 (ii) the capability and capacity to per-
10 form the analysis is available at a Federal
11 facility.

12 (5) WORKING GROUP.—The term “Working
13 Group” means the Working Group established under
14 section 402(b)(1).

15 **SEC. 402. RESEARCH AND COORDINATION PLAN FOR EN-**
16 **HANCED RESPONSE ON EMERGING CONTAMI-**
17 **NANTS.**

18 (a) IN GENERAL.—The Administrator shall—

19 (1) review Federal efforts—

20 (A) to identify, monitor, and assist in the
21 development of treatment methods for emerging
22 contaminants; and

23 (B) to assist States in responding to the
24 human health risks posed by contaminants of
25 emerging concern; and

1 (2) in collaboration with owners and operators
2 of public water systems, States, and other interested
3 stakeholders, establish a strategic plan for improving
4 the Federal efforts referred to in paragraph (1).

5 (b) INTERAGENCY WORKING GROUP ON EMERGING
6 CONTAMINANTS.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of enactment of this Act, the Adminis-
9 trator and the Secretary of Health and Human
10 Services shall jointly establish a Working Group to
11 coordinate the activities of the Federal Government
12 to identify and analyze the public health effects of
13 drinking water contaminants of emerging concern.

14 (2) MEMBERSHIP.—The Working Group shall
15 include representatives of the following:

16 (A) The Environmental Protection Agency,
17 appointed by the Administrator.

18 (B) The following agencies, appointed by
19 the Secretary of Health and Human Services:

20 (i) The National Institutes of Health.

21 (ii) The Centers for Disease Control
22 and Prevention.

23 (iii) The Agency for Toxic Substances
24 and Disease Registry.

1 (C) The United States Geological Survey,
2 appointed by the Secretary of the Interior.

3 (D) Any other Federal agency the assist-
4 ance of which the Administrator determines to
5 be necessary to carry out this subsection, ap-
6 pointed by the head of the respective agency.

7 (3) EXISTING WORKING GROUP.—The Adminis-
8 trator may expand or modify the duties of an exist-
9 ing working group to perform the duties of the
10 Working Group under this subsection.

11 (c) NATIONAL EMERGING CONTAMINANT RESEARCH
12 INITIATIVE.—

13 (1) FEDERAL RESEARCH STRATEGY.—

14 (A) IN GENERAL.—Not later than 180
15 days after the date of enactment of this Act,
16 the Director of the Office of Science and Tech-
17 nology Policy (referred to in this subsection as
18 the “Director”) shall coordinate with the heads
19 of the agencies described in subparagraph (C)
20 to establish a research initiative, to be known as
21 the “National Emerging Contaminant Research
22 Initiative”, that shall—

23 (i) use the Federal research strategy
24 to improve the identification, analysis,

1 monitoring, and treatment methods of con-
2 taminants of emerging concern; and

3 (ii) develop any necessary program,
4 policy, or budget to support the implemen-
5 tation of the Federal research strategy, in-
6 cluding mechanisms for joint agency review
7 of research proposals, for interagency co-
8 funding of research activities, and for in-
9 formation sharing across agencies.

10 (B) RESEARCH ON EMERGING CONTAMI-
11 NANTS.—In carrying out subparagraph (A), the
12 Director shall—

13 (i) take into consideration consensus
14 conclusions from peer-reviewed, pertinent
15 research on emerging contaminants; and

16 (ii) in consultation with the Adminis-
17 trator, identify priority emerging contami-
18 nants for research emphasis.

19 (C) FEDERAL PARTICIPATION.—The agen-
20 cies referred to in subparagraph (A) include—

21 (i) the National Science Foundation;
22 (ii) the National Institutes of Health;
23 (iii) the Environmental Protection
24 Agency;

1 (iv) the National Institute of Stand-
2 ards and Technology;

3 (v) the United States Geological Sur-
4 vey; and

5 (vi) any other Federal agency that
6 contributes to research in water quality,
7 environmental exposures, and public
8 health, as determined by the Director.

9 (D) PARTICIPATION FROM ADDITIONAL
10 ENTITIES.—In carrying out subparagraph (A),
11 the Director shall consult with nongovernmental
12 organizations, State and local governments, and
13 science and research institutions determined by
14 the Director to have scientific or material inter-
15 est in the National Emerging Contaminant Re-
16 search Initiative.

17 (2) IMPLEMENTATION OF RESEARCH REC-
18 OMMENDATIONS.—

19 (A) IN GENERAL.—Not later than 1 year
20 after the date on which the Director and heads
21 of the agencies described in paragraph (1)(C)
22 establish the National Emerging Contaminant
23 Research Initiative under paragraph (1)(A), the
24 head of each agency described in paragraph
25 (1)(C) shall—

1 (i) issue a solicitation for research
2 proposals consistent with the Federal re-
3 search strategy; and

4 (ii) make grants to applicants that
5 submit research proposals selected by the
6 National Emerging Contaminant Research
7 Initiative in accordance with subparagraph
8 (B).

9 (B) SELECTION OF RESEARCH PRO-
10 POSALS.—The National Emerging Contaminant
11 Research Initiative shall select research pro-
12 posals to receive grants under this paragraph
13 on the basis of merit, using criteria identified
14 by the Director, including the likelihood that
15 the proposed research will result in significant
16 progress toward achieving the objectives identi-
17 fied in the Federal research strategy.

18 (C) ELIGIBLE ENTITIES.—Any entity or
19 group of 2 or more entities may submit to the
20 head of each agency described in paragraph
21 (1)(C) a research proposal in response to the
22 solicitation for research proposals described in
23 subparagraph (A)(i), including—

24 (i) State and local agencies;

- 1 (ii) public institutions, including pub-
2 lie institutions of higher education;
3 (iii) private corporations; and
4 (iv) nonprofit organizations.

5 (d) FEDERAL TECHNICAL ASSISTANCE AND SUP-
6 PORT FOR STATES.—

7 (1) STUDY.—

8 (A) IN GENERAL.—Not later than 1 year
9 after the date of enactment of this Act, the Ad-
10 ministrator shall conduct a study on actions the
11 Administrator can take to increase technical as-
12 sistance and support for States with respect to
13 emerging contaminants in drinking water sam-
14 ples.

15 (B) CONTENTS OF STUDY.—In carrying
16 out the study described in subparagraph (A),
17 the Administrator shall identify—

18 (i) methods and effective treatment
19 options to increase technical assistance and
20 support with respect to emerging contami-
21 nants to States, including identifying op-
22 portunities for States to improve commu-
23 nication with various audiences about the
24 risks associated with emerging contami-
25 nants;

1 (ii) means to facilitate access to quali-
2 fied contract testing laboratory facilities
3 that conduct analyses for emerging con-
4 taminants; and

5 (iii) actions to be carried out at exist-
6 ing Federal laboratory facilities, including
7 the research facilities of the Administrator,
8 to provide technical assistance and support
9 for States that require testing facilities for
10 emerging contaminants.

11 (C) AVAILABILITY OF ANALYTICAL RE-
12 SOURCES.—In carrying out the study described
13 in subparagraph (A), the Administrator shall
14 consider—

15 (i) the availability of—

16 (I) Federal and non-Federal lab-
17 oratory capacity; and

18 (II) validated methods to detect
19 and analyze contaminants; and

20 (ii) other factors determined to be ap-
21 propriate by the Administrator.

22 (2) REPORT.—Not later than 18 months after
23 the date of enactment of this Act, the Administrator
24 shall submit to Congress a report describing the re-
25 sults of the study described in paragraph (1).

1 (3) PROGRAM TO PROVIDE FEDERAL ASSIST-
2 ANCE TO STATES.—

3 (A) IN GENERAL.—Not later than 3 years
4 after the date of enactment of this Act, based
5 on the findings in the report described in para-
6 graph (2), the Administrator shall develop a
7 program to provide technical assistance and
8 support to eligible States for the testing and
9 analysis of emerging contaminants.

10 (B) APPLICATION.—

11 (i) IN GENERAL.—To be eligible for
12 technical assistance and support under this
13 paragraph, a State shall submit to the Ad-
14 ministrator an application at such time, in
15 such manner, and containing such infor-
16 mation as the Administrator may require.

17 (ii) CRITERIA.—The Administrator
18 shall evaluate an application for technical
19 assistance and support under this para-
20 graph on the basis of merit using criteria
21 identified by the Administrator, includ-
22 ing—

23 (I) the laboratory facilities avail-
24 able to the State;

1 (II) the availability and applica-
2 bility of existing analytical methodolo-
3 gies;

4 (III) the potency and severity of
5 the emerging contaminant, if known;
6 and

7 (IV) the prevalence and mag-
8 nitude of the emerging contaminant.

9 (iii) PRIORITIZATION.—In selecting
10 States to receive technical assistance and
11 support under this paragraph, the Admin-
12 istrator—

13 (I) shall give priority to States
14 with affected areas primarily in finan-
15 cially distressed communities;

16 (II) may—

17 (aa) waive the application
18 process in an emergency situa-
19 tion; and

20 (bb) require an abbreviated
21 application process for the con-
22 tinuation of work specified in a
23 previously approved application
24 that continues to meet the cri-
25 teria described in clause (ii); and

1 (III) shall consider the relative
2 expertise and availability of—

3 (aa) Federal and non-Fed-
4 eral laboratory capacity available
5 to the State;

6 (bb) analytical resources
7 available to the State; and

8 (cc) other types of technical
9 assistance available to the State.

10 (C) DATABASE OF AVAILABLE RE-
11 SOURCES.—The Administrator shall establish
12 and maintain a database of resources available
13 through the program developed under subpara-
14 graph (A) to assist States with testing for
15 emerging contaminants that—

16 (i) is—

17 (I) available to States and stake-
18 holder groups determined by the Ad-
19 ministrator to have scientific or mate-
20 rial interest in emerging contami-
21 nants, including—

22 (aa) drinking water and
23 wastewater utilities;

24 (bb) laboratories;

1 (cc) Federal and State emer-
2 gency responders;

3 (dd) State primacy agencies;

4 (ee) public health agencies;

5 and

6 (ff) water associations;

7 (II) searchable; and

8 (III) accessible through the
9 website of the Administrator; and

10 (ii) includes a description of—

11 (I) qualified contract testing lab-
12 oratory facilities that conduct analyses
13 for emerging contaminants; and

14 (II) the resources available in
15 Federal laboratory facilities to test for
16 emerging contaminants.

17 (D) WATER CONTAMINANT INFORMATION
18 TOOL.—The Administrator shall integrate the
19 database established under subparagraph (C)
20 into the Water Contaminant Information Tool
21 of the Environmental Protection Agency.

22 (4) FUNDING.—Of the amounts available to the
23 Administrator, the Administrator may use not more
24 than \$15,000,000 in a fiscal year to carry out this
25 subsection.

1 (e) REPORT.—Not less frequently than once every 2
2 years until 2029, the Administrator shall submit to Con-
3 gress a report that describes the progress made in car-
4 rying out this title.

5 (f) EFFECT.—Nothing in this section modifies any
6 obligation of a State, local government, or Indian Tribe
7 with respect to treatment methods for, or testing or moni-
8 toring of, drinking water.

9 **TITLE V—MISCELLANEOUS**

10 **SEC. 501. DEPARTMENT OF DEFENSE AUTHORITIES.**

11 In addition to any other requirements, when other-
12 wise authorized to expend funds for the purpose of ad-
13 dressing ground or surface water contaminated by a
14 perfluorinated compound, the Secretary of Defense may,
15 to expend those funds, enter into a grant agreement, coop-
16 erative agreement, or contract with—

17 (1) the local water authority with jurisdiction
18 over the contamination site, including—

19 (A) a public water system (as defined in
20 section 1401 of the Safe Drinking Water Act
21 (42 U.S.C. 300f)); and

22 (B) a publicly owned treatment works (as
23 defined in section 212 of the Federal Water
24 Pollution Control Act (33 U.S.C. 1292)); or

25 (2) a State, local, or Tribal government.

1 **SEC. 502. PFAS DATA CALL.**

2 Section 8(a) of the Toxic Substances Control Act (15
3 U.S.C. 2607(a)) is amended by adding at the end the fol-
4 lowing:

5 “(7) PFAS DATA.—Not later than January 1,
6 2023, the Administrator shall promulgate a rule in
7 accordance with this subsection requiring each per-
8 son who has manufactured a chemical substance
9 that is a perfluoroalkyl or polyfluoroalkyl substance
10 in any year since January 1, 2006, to submit to the
11 Administrator a report that includes, for each year
12 since January 1, 2006, the information described in
13 paragraph (2).”.

14 **SEC. 503. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN**
15 **PFAS.**

16 Not later than June 22, 2020, the Administrator
17 shall take final action on the significant new use rule pro-
18 posed by the Administrator under the Toxic Substances
19 Control Act (15 U.S.C. 2601 et seq.) in the proposed rule
20 entitled “Long-Chain Perfluoroalkyl Carboxylate and
21 Perfluoroalkyl Sulfonate Chemical Substances; Significant
22 New Use Rule” (80 Fed. Reg. 2885 (January 21, 2015)).

23 **SEC. 504. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.**

24 (a) IN GENERAL.—Not later than 1 year after the
25 date of enactment of this Act, the Administrator shall
26 publish interim guidance on the destruction and disposal

1 of perfluoroalkyl and polyfluoroalkyl substances and mate-
2 rials containing perfluoroalkyl and polyfluoroalkyl sub-
3 stances, including—

4 (1) aqueous film-forming foam;

5 (2) soil and biosolids;

6 (3) textiles treated with perfluoroalkyl and
7 polyfluoroalkyl substances; and

8 (4) spent filters, membranes, and other waste
9 from water treatment.

10 (b) CONSIDERATIONS; INCLUSIONS.—The interim
11 guidance under subsection (a) shall—

12 (1) take into consideration—

13 (A) the potential for releases of
14 perfluoroalkyl and polyfluoroalkyl substances
15 during destruction or disposal, including
16 through volatilization, air dispersion, or leach-
17 ate; and

18 (B) potentially vulnerable populations liv-
19 ing near likely destruction or disposal sites; and

20 (2) provide guidance on testing and monitoring
21 air, effluent, and soil near potential destruction or
22 disposal sites for releases described in paragraph
23 (1)(A).

24 (c) REVISIONS.—The Administrator shall publish re-
25 visions to the interim guidance under subsection (a) as

1 the Administrator determines to be appropriate, but not
2 less frequently than once every 3 years.

3 **SEC. 505. PFAS RESEARCH AND DEVELOPMENT.**

4 (a) IN GENERAL.—The Administrator, acting
5 through the Assistant Administrator for the Office of Re-
6 search and Development, shall—

7 (1)(A) further examine the effects of
8 perfluoroalkyl and polyfluoroalkyl substances on
9 human health and the environment; and

10 (B) make publicly available information relating
11 to the findings under subparagraph (A);

12 (2) develop a process for prioritizing which
13 perfluoroalkyl and polyfluoroalkyl substances, or
14 classes of perfluoroalkyl and polyfluoroalkyl sub-
15 stances, should be subject to additional research or
16 regulatory efforts that is based on—

17 (A) the potential for human exposure to
18 the substances or classes of substances;

19 (B) the potential toxicity of the substances
20 or classes of substances; and

21 (C) information available about the sub-
22 stances or classes of substances;

23 (3) develop new tools to characterize and iden-
24 tify perfluoroalkyl and polyfluoroalkyl substances in
25 the environment, including in drinking water, waste-

1 water, surface water, groundwater, solids, and the
2 air;

3 (4) evaluate approaches for the remediation of
4 contamination by perfluoroalkyl and polyfluoroalkyl
5 substances in the environment; and

6 (5) develop and implement new tools and mate-
7 rials to communicate with the public about
8 perfluoroalkyl and polyfluoroalkyl substances.

9 (b) FUNDING.—There is authorized to be appro-
10 priated to the Administrator to carry out this section
11 \$15,000,000 for each of fiscal years 2020 through 2024.