

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To require and authorize the Administrator of the Environmental Protection Agency to carry out actions with respect to perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require and authorize the Administrator of the Environmental Protection Agency to carry out actions with respect to perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the [“\_\_\_\_\_ Act  
5       of 2023”].

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of the Environ-  
3           mental Protection Agency.

4           (2) DEGRADANT.—The term “degradant”, with  
5           respect to a perfluoroalkyl or polyfluoroalkyl sub-  
6           stance, means—

7                   (A) a transformation product or byproduct  
8                   of the perfluoroalkyl or polyfluoroalkyl sub-  
9                   stance that results in the formation of a dif-  
10                  ferent perfluoroalkyl or polyfluoroalkyl sub-  
11                  stance in the environment; or

12                   (B) a thermal conversion byproduct of the  
13                   perfluoroalkyl or polyfluoroalkyl substance, in-  
14                   cluding a byproduct of incomplete combustion  
15                   or destruction.

16           (3) INDIAN TRIBE.—The term “Indian Tribe”  
17           has the meaning given the term in section 4 of the  
18           Indian Self-Determination and Education Assistance  
19           Act (25 U.S.C. 5304).

20           (4) PERFLUOROALKYL OR POLYFLUOROALKYL  
21           SUBSTANCE.—

22                   (A) IN GENERAL.—The term  
23                   “perfluoroalkyl or polyfluoroalkyl substance”  
24                   means—

1 (i) a non-polymeric perfluoroalkyl or  
2 polyfluoroalkyl substance; and

3 (ii) a side chain fluorinated polymer  
4 that is a member of a group of human-  
5 made chemicals that contain at least 2  
6 fully fluorinated carbon atoms.

7 (B) INCLUSION.—The term “perfluoroalkyl  
8 or polyfluoroalkyl substance” includes the  
9 degradants of a substance described in clause  
10 (i) or (ii) of subparagraph (A).

11 **SEC. 3. MAXIMUM CONTAMINANT LEVEL FOR**  
12 **PERFLUOROALKYL OR POLYFLUOROALKYL**  
13 **SUBSTANCES.**

14 Not later than September 30, 2024, the Adminis-  
15 trator shall establish a maximum contaminant level (as de-  
16 fined in section 1401 of the Safe Drinking Water Act (42  
17 U.S.C. 300f)) for—

18 (1) perfluorooctanoic acid;

19 (2) perfluorooctane sulfonic acid; and

20 (3) perfluorononanoic acid, perfluorohexane sul-  
21 fonic acid, perfluorobutanesulfonic acid,  
22 hexafluoropropylene oxide dimer acid, and the asso-  
23 ciated salts of those substances, the maximum con-  
24 taminant levels (as so defined) of which may be es-

1 established for each individual contaminant or as a  
2 mixture.

3 **SEC. 4. NATIONAL ACADEMIES STUDY ON THE USES OF**  
4 **PFAS.**

5 Not later than 1 year after the date of enactment  
6 of this Act, the Administrator shall seek to enter into an  
7 agreement with the National Academies of Sciences, Engi-  
8 neering, and Medicine under which the Academies shall  
9 carry out a study on—

10 (1) the benefits and costs of current uses of  
11 perfluoroalkyl or polyfluoroalkyl substances in com-  
12 merce;

13 (2) the availability and efficacy of substitutes  
14 for applications that use perfluoroalkyl or  
15 polyfluoroalkyl substances in commerce; and

16 (3) the reduction of the nonessential or single  
17 use of perfluoroalkyl or polyfluoroalkyl substances in  
18 commerce.

19 **SEC. 5. STATE REVOLVING FUND USAGE.**

20 (a) DRINKING WATER STATE REVOLVING FUNDS.—  
21 Section 1452(a)(2) of the Safe Drinking Water Act (42  
22 U.S.C. 300j–12(a)(2)) is amended by adding at the end  
23 the following:

24 “(H) INDUSTRIAL USERS OF PFAS.—In  
25 combination with any amounts used by a State

1           pursuant to subsection (l) of section 603 of the  
2           Federal Water Pollution Control Act (33 U.S.C.  
3           1383), a State may use an amount equal to not  
4           more than 1 percent of the capitalization grants  
5           received by the State under this section in a fis-  
6           cal year to establish and maintain a list or reg-  
7           istry of all nonresidential industrial facilities in  
8           the State that manufacture or use  
9           perfluoroalkyl or polyfluoroalkyl substances (as  
10          defined in section 2 of the \_\_\_\_\_ Act  
11          of 2023) and to disseminate that list to public  
12          water systems.”.

13          (b) CLEAN WATER STATE REVOLVING FUNDS.—Sec-  
14          tion 603 of the Federal Water Pollution Control Act (33  
15          U.S.C. 1383) is amended by adding at the end the fol-  
16          lowing:

17          “(l) INDUSTRIAL USERS OF PFAS.—In combination  
18          with any amounts used by a State pursuant to subpara-  
19          graph (H) of section 1452(a)(2) of the Safe Drinking  
20          Water Act (42 U.S.C. 300j–12(a)(2)), a State may use  
21          an amount equal to not more than 1 percent of the  
22          amounts of the capitalization grants received by the State  
23          under this title in a fiscal year to establish and maintain  
24          the list or registry described in that subparagraph and to

1 disseminate that list to the owners and operators of treat-  
2 ment works.”.

3 **SEC. 6. TECHNICAL FIX FOR STATE RESPONSE TO CON-**  
4 **TAMINANTS PROGRAM.**

5 Section 1459A(j) of the Safe Drinking Water Act (42  
6 U.S.C. 300j–19a(j)) is amended—

7 (1) in paragraph (1)—

8 (A) in the matter preceding subparagraph  
9 (A), by striking “subsection (c)(2)” and insert-  
10 ing “subparagraph (A) or (B) of paragraph (3)  
11 or a drinking water well owner described in  
12 subparagraph (C) of that paragraph”;

13 (B) by striking “contaminant—” and all  
14 that follows through “to—” in subparagraph  
15 (A) in the matter preceding clause (i) and in-  
16 serting “contaminant that is determined by the  
17 State—”;

18 (C) by striking subparagraph (B);

19 (D) by redesignating clauses (i) and (ii) as  
20 subparagraphs (A) and (B), respectively, and  
21 indenting appropriately;

22 (E) in subparagraph (A) (as so redesign-  
23 ated)—

24 (i) by inserting “to” before “be  
25 present”;

1 (ii) by striking “serving,” and insert-  
2 ing “serving a community”; and

3 (iii) by striking “for, that commu-  
4 nity”; and

5 (F) in subparagraph (B) (as so redesign-  
6 nated)—

7 (i) by inserting “to” before “poten-  
8 tially”; and

9 (ii) by striking “; and” at the end and  
10 inserting a period; and

11 (2) by adding at the end the following:

12 “(3) ELIGIBILITY FOR ASSISTANCE OR AS A  
13 BENEFICIARY OF ASSISTANCE.—For purposes of this  
14 subsection, the Administrator may issue a grant to  
15 a State—

16 “(A) that is requesting a grant on behalf  
17 of—

18 “(i) a community that, under the af-  
19 fordability criteria established by the State  
20 under section 1452(d)(3), is determined by  
21 the State—

22 “(I) to be a disadvantaged com-  
23 munity; or

24 “(II) to be a community that  
25 may become a disadvantaged commu-

1                   nity as a result of carrying out an ac-  
2                   tivity described in paragraph (1); or

3                   “(ii) a community with a population  
4                   of fewer than 10,000 individuals that the  
5                   Administrator determines does not have  
6                   the capacity to incur debt sufficient to fi-  
7                   nance an activity described in paragraph  
8                   (1); or

9                   “(B) for the benefit of 1 or more owners  
10                  of drinking water wells that are not public  
11                  water systems and are not connected to a public  
12                  water system.”.

13 **SEC. 7. RISK MANAGEMENT AND COMMUNICATION STRATE-**  
14 **GIES.**

15                  (a) CLEARINGHOUSE.—

16                  (1) IN GENERAL.—Not later than 1 year after  
17                  the date of enactment of this Act, the Administrator  
18                  shall establish, maintain, and regularly update a  
19                  clearinghouse of risk management strategies and  
20                  best practices used by States, territories of the  
21                  United States, and Indian Tribes to inform residents  
22                  of the States and territories of the United States,  
23                  and residents of land under the jurisdiction of In-  
24                  dian Tribes, of the hazards or potential hazards of  
25                  perfluoroalkyl or polyfluoroalkyl substances.



1           (2) AVAILABILITY.—The Administrator shall  
2           make the clearinghouse required under paragraph  
3           (1) accessible to States, territories of the United  
4           States, and Indian Tribes through the website of the  
5           Administrator.

6           (b) RISK MANAGEMENT GUIDE.—

7           (1) IN GENERAL.—Not later than 2 years after  
8           the date of enactment of this Act, the Administrator  
9           shall develop and make available to States, terri-  
10          tories of the United States, and Indian Tribes a risk  
11          management guide for educating the public with re-  
12          spect to—

13                 (A) the known hazards or known potential  
14                 hazards of perfluoroalkyl or polyfluoroalkyl sub-  
15                 stances or categories of perfluoroalkyl or  
16                 polyfluoroalkyl substances;

17                 (B) information on the health impacts that  
18                 may result from chronic exposure to  
19                 perfluoroalkyl or polyfluoroalkyl substances;  
20                 and

21                 (C) exposure pathways and mitigation  
22                 measures for perfluoroalkyl or polyfluoroalkyl  
23                 substances and categories of perfluoroalkyl or  
24                 polyfluoroalkyl substances.

1           (2) BEST PRACTICES.—In developing the risk  
2 management guide required under paragraph (1),  
3 the Administrator shall—

4           (A) incorporate best practices and sci-  
5 entific data sourced from Federal agencies and  
6 relevant stakeholders, including—

7           (i) the Agency for Toxic Substances  
8 and Disease Registry; and

9           (ii) the National Academy of Sciences;

10          (B) include information about technologies  
11 available for the residential mitigation of expo-  
12 sure pathways for perfluoroalkyl or  
13 polyfluoroalkyl substances that present a threat  
14 to public health.

15          (3) UPDATES.—The Administrator shall update  
16 the risk management guide required under para-  
17 graph (1) on an ongoing basis with the latest sci-  
18 entific findings related to health impacts that may  
19 result from exposure to perfluoroalkyl or  
20 polyfluoroalkyl substances, as described in subpara-  
21 graphs (A) and (B) of paragraph (1).

22          (c) COMMUNICATION AND OUTREACH STRATEGY.—

23           (1) IN GENERAL.—To improve public awareness  
24 and to increase the use of best practices described  
25 in the risk management guide required under sub-

1 section (b)(1), the Administrator shall develop a  
2 communication and outreach strategy with respect  
3 to that risk management guide, which shall include  
4 the creation of informational materials, such as bro-  
5 chures, fact sheets, videos, and social media posts  
6 that are targeted to the needs of individual audi-  
7 ences, that—

8 (A) use plain language and are meaning-  
9 ful, understandable, and actionable; and

10 (B) collectively address—

11 (i) the known hazards of  
12 perfluoroalkyl or polyfluoroalkyl sub-  
13 stances;

14 (ii) the known potential risks of expo-  
15 sure to perfluoroalkyl or polyfluoroalkyl  
16 substances;

17 (iii) the known associated health im-  
18 pacts of exposure to perfluoroalkyl or  
19 polyfluoroalkyl substances; and

20 (iv) the known differing levels of risk  
21 presented by perfluoroalkyl or  
22 polyfluoroalkyl substances based on an en-  
23 vironmental medium or exposure pathway.

24 (2) CONSULTATION.—In developing the commu-  
25 nication and outreach strategy required under para-

1 graph (1), the Administrator shall consult with State  
2 and local health departments and Tribal agencies  
3 with jurisdiction over public health to develop and  
4 disseminate the materials produced under that para-  
5 graph.

6 (d) REPORTS TO CONGRESS.—Not less frequently  
7 than annually, the Administrator shall submit to Congress  
8 a report describing the risk management and communica-  
9 tions strategies used by States, territories of the United  
10 States, and Indian Tribes for the hazards of perfluoroalkyl  
11 or polyfluoroalkyl substances and potential risks of expo-  
12 sure to perfluoroalkyl or polyfluoroalkyl substances.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) IN GENERAL.—There is authorized to be  
15 appropriated to carry out this section \$5,000,000 for  
16 each of fiscal years 2024 through 2028.

17 (2) ADMINISTRATIVE EXPENSES.—Of the  
18 amounts made available under paragraph (1) for  
19 each fiscal year, not more than 3 percent may be  
20 used for administrative expenses incurred in car-  
21 rying out this section.

22 **SEC. 8. PFAS RESEARCH AND DEVELOPMENT.**

23 (a) IN GENERAL.—The Administrator shall conduct  
24 a research and technology program (referred to in this sec-  
25 tion as the “program”) to develop, evaluate, and dem-

1 onstrate nonregulatory strategies and technologies for the  
2 prevention, detection, reduction, destruction, and  
3 verification of emerging contaminants, with a focus on  
4 perfluoroalkyl and polyfluoroalkyl substances.

5 (b) OBJECTIVES.—In carrying out the program, the  
6 Administrator shall aim—

7 (1) to improve the understanding of  
8 perfluoroalkyl or polyfluoroalkyl substance toxicities  
9 on human health and ecosystems for individual  
10 perfluoroalkyl or polyfluoroalkyl substances, groups,  
11 or categories of perfluoroalkyl or polyfluoroalkyl sub-  
12 stances;

13 (2) to identify categories of perfluoroalkyl or  
14 polyfluoroalkyl substances, as determined by the Ad-  
15 ministrator, to aid in grouping perfluoroalkyl or  
16 polyfluoroalkyl substances for testing, evaluation, re-  
17 duction, destruction, remediation, or regulatory pur-  
18 poses;

19 (3) to identify exposure pathways for  
20 perfluoroalkyl or polyfluoroalkyl substances, and, as  
21 information becomes available, identify the exposure  
22 pathways that are likely to produce the greatest  
23 risks in terms of degree of exposure, magnitude, or  
24 vulnerability of the populations that may be exposed  
25 through those pathways;

1 (4) to develop and validate methods for  
2 perfluoroalkyl or polyfluoroalkyl substance detection  
3 and measurement across media;

4 (5) to evaluate and develop technologies and  
5 methods for perfluoroalkyl or polyfluoroalkyl sub-  
6 stance treatment, remediation, reduction, destruc-  
7 tion, and disposal across media;

8 (6) to evaluate and develop technologies and  
9 methods to avoid or reduce the release of  
10 perfluoroalkyl or polyfluoroalkyl substances into the  
11 environment;

12 (7) to investigate and determine relevant trans-  
13 formation, transport, and fate processes of precur-  
14 sors to perfluoroalkyl or polyfluoroalkyl substances  
15 as potential sources of perfluoroalkyl or  
16 polyfluoroalkyl substances that are more recalcitrant  
17 (such as perfluorooctanoic acid); and

18 (8) to understand the risks related to  
19 perfluoroalkyl or polyfluoroalkyl substances in var-  
20 ious key target audiences and effective messaging  
21 strategies to increase the amount of risk reduction  
22 activities in those target audiences.

23 (c) DEVELOPMENT REQUIREMENTS.—The strategies  
24 and technologies described in subsection (a) shall be devel-  
25 oped—

1 (1) with priority given to strategies and tech-  
2 nologies that prevent, detect, destroy, or verify those  
3 emerging contaminants, including perfluoroalkyl and  
4 polyfluoroalkyl substances, that pose a significant  
5 risk to human health and the environment; and

6 (2) with opportunities for participation by in-  
7 dustry, academic institutions, public interest groups  
8 with relevant subject-matter expertise, scientists,  
9 and other interested persons.

10 (d) PROGRAM INCLUSIONS.—

11 (1) IN GENERAL.—The program shall include  
12 the development of—

13 (A) improvements in nonregulatory strate-  
14 gies and technologies for the prevention, detec-  
15 tion, reduction, destruction, and verification of  
16 multiple emerging contaminants, including  
17 perfluoroalkyl or polyfluoroalkyl substances,  
18 which shall include improvements in the relative  
19 cost-effectiveness and long-range implications of  
20 various contaminant reduction and nonregula-  
21 tory control strategies, such as the prevention,  
22 detection, reduction, destruction, and  
23 verification of perfluoroalkyl or polyfluoroalkyl  
24 substances;

1 (B) improvements in nonregulatory strate-  
2 gies and technologies for the reduction of con-  
3 tamination from industrial sources; and

4 (C) improvements in nonregulatory strate-  
5 gies and technologies for preventing, detecting,  
6 destroying, and verifying accidental releases of  
7 contaminants.

8 (2) EXISTING AND NEW FACILITIES.—In devel-  
9 oping the improvements described in paragraph  
10 (1)(A), the Administrator shall consider strategies  
11 and technologies that could be used in existing and  
12 new facilities.

13 (e) CERTIFICATION AND LABELING.—

14 (1) IN GENERAL.—In carrying out the program,  
15 the Administrator shall establish a voluntary pro-  
16 gram to identify and promote strategies and tech-  
17 nologies that prevent, detect, destroy, or verify  
18 emerging contaminants, including perfluoroalkyl or  
19 polyfluoroalkyl substances, through voluntary label-  
20 ing of, or other forms of communication about, prod-  
21 ucts that prevent the use of, detect, reduce, destroy,  
22 or verify emerging contaminants, including  
23 perfluoroalkyl or polyfluoroalkyl substances.



1           (2) DUTIES.—In carrying out the voluntary  
2 program under paragraph (1), the Administrator  
3 shall—

4           (A) promote strategies and technologies  
5 compliant with the standards established by the  
6 Administrator for labels under paragraph (1) as  
7 the preferred strategies and technologies in the  
8 marketplace for the prevention, detection, re-  
9 duction, destruction, or verification of emerging  
10 contaminants, including perfluoroalkyl or  
11 polyfluoroalkyl substances;

12           (B) work to enhance public awareness of  
13 the labels developed under paragraph (1), in-  
14 cluding by special outreach to small businesses;

15           (C) preserve the integrity of the labels de-  
16 veloped under paragraph (1);

17           (D) regularly update the product criteria  
18 for the labels developed under paragraph (1) for  
19 product categories;

20           (E) solicit comments from interested par-  
21 ties prior to establishing or revising a product  
22 category, a specification, or a criterion estab-  
23 lished for the labels developed under paragraph  
24 (1) (or prior to the effective date of any such  
25 product category, specification, or criterion);

1 (F) on adoption of a new or revised prod-  
2 uct category, specification, or criterion for the  
3 labels developed under paragraph (1), provide  
4 to interested parties—

5 (i) reasonable notice of the changes  
6 (including effective dates) in the product  
7 categories, specifications, or criteria, as ap-  
8 plicable;

9 (ii) an explanation of the changes; and

10 (iii) as appropriate, a response to  
11 comments submitted by interested parties;

12 (G) provide appropriate lead time (which  
13 shall be not less than 270 days, unless other-  
14 wise determined appropriate by the Adminis-  
15 trator) prior to the applicable effective date for  
16 a new or significant revision to a product cat-  
17 egory, specification, or criterion for the labels  
18 developed under paragraph (1), taking into ac-  
19 count the timing requirements of the manufac-  
20 turing, product marketing, and distribution  
21 process for the specific product addressed;

22 (H) work to accelerate advances in the de-  
23 tection and characterization of perfluoroalkyl or  
24 polyfluoroalkyl substances; and

1 (I) seek to develop improvements in analyt-  
2 ical reference standards and sampling protocols  
3 for perfluoroalkyl or polyfluoroalkyl substances.

4 (f) COORDINATION AND AVOIDANCE OF DUPLICA-  
5 TION.—The Administrator shall consult with other appro-  
6 priate Federal agencies to ensure coordination and to  
7 avoid duplication of activities authorized under this sec-  
8 tion.

9 (g) SCIENCE ADVISORY BOARD.—In designing and  
10 carrying out the program, the Administrator shall periodi-  
11 cally consult with, and obtain the advice of, the Science  
12 Advisory Board established under section 8(a) of the Envi-  
13 ronmental Research, Development, and Demonstration  
14 Authorization Act of 1978 (42 U.S.C. 4365(a)).

15 (h) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There is authorized to be  
17 appropriated to the Administrator to carry out di-  
18 rect research activities and provide grants pursuant  
19 to this section \$500,000,000 for the period of fiscal  
20 years 2024 through 2028, to remain available until  
21 expended.

22 (2) ADMINISTRATIVE EXPENSES.—Of the  
23 amounts made available under paragraph (1), not  
24 more than 3 percent may be used for administrative  
25 expenses incurred in carrying out this section.

1 **SEC. 9. PFAS TECHNOLOGY DEVELOPMENT PRIZE.**

2 (a) FINDING.—Congress finds that a lack of testing,  
3 mitigation, and destruction technologies for perfluoroalkyl  
4 or polyfluoroalkyl substances inhibits Federal, State, and  
5 private efforts to address contamination by those sub-  
6 stances.

7 (b) TECHNOLOGY PRIZE COMPETITIONS.—

8 (1) DEFINITIONS.—In this subsection:

9 (A) BOARD.—The term “Board” means  
10 the PFAS Remediation towards Zero in the En-  
11 vironment Board established by paragraph  
12 (3)(A).

13 (B) NON-FEDERAL FUNDS.—The term  
14 “non-Federal funds” means funds provided  
15 by—

16 (i) a State;

17 (ii) a territory of the United States;

18 (iii) 1 or more units of local or Tribal  
19 government;

20 (iv) a private for-profit entity;

21 (v) a nonprofit organization;

22 (vi) a private individual; or

23 (vii) a combination of the sources de-  
24 scribed in clauses (i) through (vi).

1 (C) PRIZE COMPETITION.—The term  
2 “prize competition” means each prize competi-  
3 tion established under paragraph (2).

4 (2) AUTHORITY.—Not later than 180 days  
5 after the date of enactment of this Act, the Adminis-  
6 trator shall establish under section 24 of the Steven-  
7 son-Wylder Technology Innovation Act of 1980 (15  
8 U.S.C. 3719) 5 prize competitions to encourage  
9 technological innovation in the development of tech-  
10 nologies in each of the following areas and to award  
11 1 or more cash prizes annually for each of the fol-  
12 lowing areas:

13 (A) Identifying perfluoroalkyl or  
14 polyfluoroalkyl substances at low concentrations  
15 in soil.

16 (B) Identifying perfluoroalkyl or  
17 polyfluoroalkyl substances at low concentrations  
18 in the air.

19 (C) Identifying perfluoroalkyl or  
20 polyfluoroalkyl substances at low concentrations  
21 in water.

22 (D) Preventing the intrusion of  
23 perfluoroalkyl or polyfluoroalkyl substances into  
24 soil, air, and water.

1 (E) Destroying perfluoroalkyl or  
2 polyfluoroalkyl substances.

3 (3) ADVISORY BOARD.—

4 (A) ESTABLISHMENT.—There is estab-  
5 lished an advisory board, to be known as the  
6 “PFAS Remediation towards Zero in the Envi-  
7 ronment Board” or the “PRIZE Board”.

8 (B) COMPOSITION.—

9 (i) IN GENERAL.—The Board shall be  
10 composed of not fewer than 9 members ap-  
11 pointed by the Administrator, who shall  
12 provide expertise in—

13 (I) solid waste management;

14 (II) industrial hygiene;

15 (III) drinking water manage-  
16 ment;

17 (IV) wastewater management;

18 (V) engineering;

19 (VI) economics;

20 (VII) technology development;

21 (VIII) business development and  
22 management; and

23 (IX) any other discipline that the  
24 Administrator determines is necessary  
25 to achieve the purposes of this section.

1 (ii) MEMBERSHIP REQUIREMENTS.—

2 In appointing members of the Board under  
3 clause (i), the Administrator shall ensure  
4 that—

5 (I) a majority of the Board is ap-  
6 pointed from the private sector; and

7 (II) a member of the Board is  
8 appointed from the Department of  
9 Defense.

10 (iii) CHAIRPERSON AND VICE CHAIR-  
11 PERSON.—The Board shall select a Chair-  
12 person and Vice Chairperson from among  
13 the members of the Board.

14 (iv) TERM.—A member of the Board  
15 shall serve for a term of 5 years.

16 (v) VACANCIES.—A vacancy on the  
17 Board—

18 (I) shall not affect the powers of  
19 the Board; and

20 (II) shall be filled in the same  
21 manner as the original appointment  
22 was made.

23 (C) DUTIES.—Subject to subparagraph  
24 (D), with respect to each prize competition, the  
25 Board shall—

- 1 (i) select a topic;
- 2 (ii) issue a problem statement;
- 3 (iii) advise the Administrator regard-
- 4 ing any opportunity for technological inno-
- 5 vation in the applicable subject area; and
- 6 (iv) advise winners of the prize com-
- 7 petition regarding opportunities to pilot
- 8 and implement winning technologies in rel-
- 9 evant fields, including in partnership with
- 10 relevant organizations, Federal or State
- 11 agencies, federally recognized Indian
- 12 Tribes, private entities, and research insti-
- 13 tutions with expertise or interest relating
- 14 to the applicable subject area.

15 (D) CONSULTATION.—In selecting a topic  
16 and issuing a problem statement for a prize  
17 competition under clauses (i) and (ii) of sub-  
18 paragraph (C), respectively, the Board shall  
19 consult widely with Federal and non-Federal  
20 stakeholders, including—

- 21 (i) 1 or more Federal agencies with
- 22 jurisdiction over the management of the
- 23 detection of perfluoroalkyl or
- 24 polyfluoroalkyl substances;



1 (ii) 1 or more State agencies with ju-  
2 risdiction over the management of the de-  
3 tection of perfluoroalkyl or polyfluoroalkyl  
4 substances;

5 (iii) 1 or more Federal agencies with  
6 jurisdiction over the management of the  
7 destruction of perfluoroalkyl or  
8 polyfluoroalkyl substances; and

9 (iv) 1 or more technology companies,  
10 research institutions, institutions of higher  
11 education, industry associations, or indi-  
12 vidual stakeholders with an interest in the  
13 management in the detection or destruc-  
14 tion of perfluoroalkyl or polyfluoroalkyl  
15 substances.

16 (E) MEETINGS.—

17 (i) FREQUENCY.—

18 (I) IN GENERAL.—Subject to  
19 subclause (II), the Board shall meet  
20 at the call of the Chairperson.

21 (II) INITIAL MEETING.—Not  
22 later than 30 days after the date on  
23 which all initial members of the Board  
24 have been appointed, the Board shall  
25 hold the initial meeting of the Board.

1 (ii) REMOTE PARTICIPATION.—

2 (I) IN GENERAL.—Any member  
3 of the Board may participate in a  
4 meeting of the Board through the use  
5 of—

6 (aa) teleconferencing; or

7 (bb) any other remote busi-  
8 ness telecommunications method  
9 that allows each participating  
10 member to simultaneously hear  
11 each other participating member  
12 during the meeting.

13 (II) PRESENCE.—A member of  
14 the Board who participates in a meet-  
15 ing of the Board remotely under sub-  
16 clause (I) shall be considered to be  
17 present at the meeting.

18 (iii) QUORUM.—A majority of the  
19 members of the Board shall constitute a  
20 quorum, but a lesser number of members  
21 may hold a meeting.

22 (F) ADMINISTRATIVE COST REDUCTION.—  
23 The Board shall, to the maximum extent prac-  
24 ticable, minimize the administrative costs of the  
25 Board, including by encouraging the remote

1 participation described in subparagraph  
2 (E)(ii)(I) to reduce travel costs.

3 (4) JUDGES.—

4 (A) APPOINTMENT.—The Administrator  
5 shall appoint not fewer than 3 judges for each  
6 prize competition who shall, except as provided  
7 in subparagraph (B), select the 1 or more an-  
8 nual winners of the prize competition.

9 (B) PRIORITY.—In selecting 1 or more an-  
10 nual winners of a prize competition, the judges  
11 appointed under subparagraph (A) for the prize  
12 competition shall give priority to applications  
13 for the cash prize that demonstrate technologies  
14 that—

15 (i) could be implemented economically  
16 at scale;

17 (ii) reduce human exposure pathways  
18 for perfluoroalkyl or polyfluoroalkyl sub-  
19 stances;

20 (iii) address the prevalence of  
21 perfluoroalkyl or polyfluoroalkyl substances  
22 in the environment; and

23 (iv) could assist with testing, mitiga-  
24 tion, and destruction of perfluoroalkyl or

1 polyfluoroalkyl substances in service of ap-  
2 plicable requirements under law.

3 (C) DETERMINATION BY ADMINIS-  
4 TRATOR.—The judges appointed under subpara-  
5 graph (A) shall not select an annual winner of  
6 a prize competition for a fiscal year if the Ad-  
7 ministrator determines that none of the techno-  
8 logical advancements entered into the prize  
9 competition for that fiscal year merits a cash  
10 prize.

11 (5) CASH PRIZE AMOUNTS.—The amount of a  
12 cash prize under a prize competition shall be in an  
13 amount not more than \$20,000,000.

14 (6) REPORT TO CONGRESS.—Not later than 60  
15 days after the date on which a cash prize is awarded  
16 under this section, the Administrator shall submit to  
17 the Committee on Environment and Public Works of  
18 the Senate and the Committee on Energy and Com-  
19 merce of the House of Representatives a report on  
20 the applicable prize competition that includes—

21 (A) a statement by the Board that de-  
22 scribes the activities carried out by the Board  
23 relating to the duties described in paragraph  
24 (3)(C);

1 (B) a statement by 1 or more of the judges  
2 appointed under paragraph (4)(A) that explains  
3 the basis on which the winner of the cash prize  
4 was selected; and

5 (C) a description of how the technology for  
6 which the cash prize was awarded could support  
7 regulatory efforts in a cost-effective manner.

8 (7) COORDINATION AND AVOIDANCE OF DUPLI-  
9 CATION.—In carrying out this subsection, the Ad-  
10 ministrator shall consult with other appropriate Fed-  
11 eral agencies—

12 (A) to ensure coordination with those Fed-  
13 eral agencies; and

14 (B) to avoid the duplication of activities  
15 authorized under this section.

16 (8) AUTHORIZATION OF APPROPRIATIONS.—

17 (A) IN GENERAL.—There is authorized to  
18 be appropriated to award cash prizes under the  
19 prize competitions \$500,000,000.

20 (B) ADMINISTRATIVE COSTS.—Of the  
21 amounts made available under paragraph (1),  
22 not more than 3 percent may be used for ad-  
23 ministrative expenses incurred in carrying out  
24 this section.

25 (9) TERMINATION; RECOMMENDATION.—

1 (A) TERMINATION OF AUTHORITY.—The  
2 Board and all authority provided under this  
3 subsection shall terminate on the date that is 5  
4 years after the date of enactment of this Act.

5 (B) RECOMMENDATION.—Not later than 3  
6 years after the date of enactment of this Act,  
7 the Administrator shall submit to Congress a  
8 recommendation on whether to extend the date  
9 described under subparagraph (A) for the ter-  
10 mination of the Board and all authority pro-  
11 vided under this subsection.

12 **SEC. 10. STANDARDS FOR THE DETECTION, REDUCTION,**  
13 **DESTRUCTION, REMEDIATION, AND**  
14 **VERIFICATION OF PFAS.**

15 (a) DEFINITION OF NATIONAL STANDARDS-SETTING  
16 ORGANIZATION.—In this section, the term “national  
17 standards-setting organization” means a public or private,  
18 nonprofit organization that—

19 (1) administers and coordinates a voluntary  
20 standards and conformity assessment system in the  
21 United States; and

22 (2) works in close collaboration with stake-  
23 holders from industry and government to identify  
24 and develop standards- and conformance-based solu-  
25 tions to national and global priorities.

1 (b) STANDARDS REQUIRED.—Not later than 1 year  
2 after the date of enactment of this Act, the Administrator  
3 shall enter into a contract with a national standards-set-  
4 ting organization to develop standards, or supplement the  
5 development of standards, with respect to the detection,  
6 reduction, destruction, remediation, and verification of  
7 perfluoroalkyl or polyfluoroalkyl substances.

8 **SEC. 11. EMERGENCY ASSISTANCE FOR PFAS REMEDI-**  
9 **ATION FOR COVERED COMMUNITIES.**

10 (a) DEFINITION OF COVERED COMMUNITY.—In this  
11 section, the term “covered community” means a commu-  
12 nity—

13 (1) the land, air, soil, or water (including  
14 groundwater) of which is contaminated by 1 or more  
15 perfluoroalkyl or polyfluoroalkyl substances to an ex-  
16 tent that is beyond the financial capability of the  
17 community to remediate; and

18 (2) that is—

19 (A) a small community;

20 (B) a rural community;

21 (C) a Tribal community;

22 (D) a community that meets—

23 (i) the affordability criteria estab-  
24 lished by the applicable State pursuant to

1 section 1452(d)(3) of the Safe Drinking  
2 Water Act (42 U.S.C. 300j–12(d)(3)); or

3 (ii) the affordability criteria estab-  
4 lished by the applicable State pursuant to  
5 section 603(i)(2) of the Federal Water Pol-  
6 lution Control Act (33 U.S.C. 1383(i)(2));

7 (E) an underserved community (as defined  
8 in section 1459A(a) of the Safe Drinking Water  
9 Act (42 U.S.C. 300j–19a(a))); or

10 (F) any combination of the communities  
11 described in subparagraphs (A) through (E).

12 (b) EMERGENCY ASSISTANCE PROGRAM.—On the  
13 written request of the Governor of a State or the head  
14 of an Indian Tribe, the Administrator may provide emer-  
15 gency assistance in the form of grants and technical as-  
16 sistance to a covered community under the jurisdiction of  
17 that State or Indian Tribe to assist that covered commu-  
18 nity in the remediation of perfluoroalkyl or polyfluoroalkyl  
19 substances in the land, air, soil, or water (including  
20 groundwater) of the covered community using strategies  
21 or technologies that carry a label under the voluntary la-  
22 beling program established under section 10(e)(1).

23 (c) COST-SHARE.—



1           (1) IN GENERAL.—Subject to paragraph (2),  
2           the Federal share of any activity carried out using  
3           a grant under subsection (b) shall be 90 percent.

4           (2) WAIVER FOR CERTAIN COVERED COMMU-  
5           NITIES.—If an activity carried out using a grant  
6           under subsection (b) is carried out for the purpose  
7           of remediating perfluoroalkyl or polyfluoroalkyl sub-  
8           stances within the land, air, soil, or water (including  
9           groundwater) of a covered community described in  
10          subparagraph (D) or (E) of subsection (a)(2), the  
11          Administrator shall increase the Federal share under  
12          paragraph (1) to 100 percent.

13          (d) BRIEFINGS AND REPORTS.—

14           (1) QUARTERLY BRIEFINGS.—If the Adminis-  
15           trator provides any emergency assistance under sub-  
16           section (b), the Administrator shall, not less fre-  
17           quently than quarterly for the 1-year period begin-  
18           ning on the date on which the emergency assistance  
19           is provided, brief Congress on—

20                   (A) the emergency assistance provided; and

21                   (B) the status of the contamination for  
22           which the emergency assistance was provided.

23           (2) ANNUAL REPORTS.—Beginning on the date  
24           that is 1 year after the date on which the Adminis-  
25           trator initially provides emergency assistance under

1 subsection (b), and annually thereafter, the Adminis-  
2 trator shall submit to Congress a report describ-  
3 ing—

4 (A) the number of covered communities  
5 that have received emergency assistance under  
6 subsection (b);

7 (B) the types of emergency assistance pro-  
8 vided to covered communities;

9 (C) the status with respect to the reduc-  
10 tion or elimination of perfluoroalkyl or  
11 polyfluoroalkyl substances in the land, air, soil,  
12 or water (including groundwater) within covered  
13 communities; and

14 (D) any challenges encountered in pro-  
15 viding the emergency assistance under sub-  
16 section (b) to covered communities.

17 (e) PROHIBITION ON DENIAL OF DISPOSAL.—No  
18 State may deny, refuse, or otherwise impede the disposal  
19 of waste materials generated by any emergency assistance  
20 provided under subsection (b) that is to be processed by  
21 a facility permitted under the Solid Waste Disposal Act  
22 (42 U.S.C. 6901 et seq.).

23 (f) AUTHORIZATION OF APPROPRIATIONS.—

24 (1) IN GENERAL.—There is authorized to be  
25 appropriated to the Administrator to carry out this

1 section \$500,000,000 for the period of fiscal years  
2 2024 through 2028, to remain available until ex-  
3 pended.

4 (2) ADMINISTRATIVE EXPENSES.—Of the  
5 amounts made available under paragraph (1), not  
6 more than 3 percent may be used for administrative  
7 expenses incurred in carrying out this section.