

AMENDMENT TO H.R. 8070
OFFERED BY MS. SLOTKIN OF MICHIGAN

At the appropriate place in title III, insert the following:

1 **SEC. 3 ____ . EXPEDITED ACTION TO ADDRESS THE MIGRA-**
2 **TION OF PER- AND POLYFLUOROALKYL SUB-**
3 **STANCES FROM DEPARTMENT OF DEFENSE**
4 **INSTALLATIONS AND NATIONAL GUARD FA-**
5 **CILITIES.**

6 (a) IN GENERAL.—The Secretary of Defense shall ex-
7 pedite the implementation of early actions to mitigate the
8 migration of groundwater contaminated by per- and
9 polyfluoroalkyl substances (hereinafter in this section re-
10 ferred to as “PFAS”) from a source located on a military
11 installation to protect or minimize the effects on ground-
12 water, surface water, underground sources of drinking
13 water, and sediment.

14 (b) EVALUATION AND ASSESSMENT.—Not later than
15 180 days after the date of the enactment of this Act, the
16 Secretary shall complete an evaluation and assessment of
17 all covered facilities where a release, or a threat of a re-
18 lease, of PFAS subject to a response action under the De-

1 fense Environmental Restoration Program under section
2 2701 of title 10, United States Code, to—

3 (1) identify potential early actions that may be
4 implemented at such facilities to prevent or reme-
5 diate the release or threatened release of PFAS;

6 (2) identify such facilities at which an under-
7 ground source of drinking water is, or may be, con-
8 taminated by a release or a threat of a release of
9 PFAS; and

10 (3) prioritize facilities for the implementation of
11 early actions or other actions to prevent or reduce
12 risks to human health and the environment.

13 (c) PUBLIC PARTICIPATION.—The Secretary shall
14 make the results of an evaluation and assessment for a
15 covered facility conducted under subsection (b) available
16 to communities and individuals affected by a release, or
17 the threat of a release, of PFAS at the covered facility.

18 (d) REPORT.—For each covered facility for which an
19 evaluation and assessment is required under subsection
20 (b), not later than 270 days after the date of the enact-
21 ment of this Act, the Secretary shall make publicly avail-
22 able on an appropriate website of the Department—

23 (1) a description of early actions identified by
24 the evaluation and assessment;

1 (2) a description of interim remedies or other
2 early actions that have been implemented;

3 (3) a list of facilities at which the migration of
4 contaminated ground water is not under control or
5 for which data are insufficient to determine whether
6 contaminated ground water migration is controlled,
7 and

8 (4) a schedule for the implementation of in-
9 terim remedies or other early actions.

10 (e) PROVISION OF ALTERNATIVE WATER TO PRO-
11 TECT PUBLIC HEALTH.—

12 (1) NOTICE; PROVISION OF WATER.—Not later
13 than 60 days after the discovery of the release, or
14 the threat of release, of PFAS from a covered facil-
15 ity into an underground source of drinking water,
16 the Secretary shall—

17 (A) provide notice pursuant to section
18 2705 of title 10, United States Code, to the re-
19 gional offices of the Environmental Protection
20 Agency and appropriate State, tribal and local
21 authorities;

22 (B) identify private and public water wells
23 with a concentration of a PFAS chemical that
24 exceeds the maximum contaminant level estab-

1 lished pursuant to the Safe Drinking Water Act
2 (42 U.S.C. 300f et seq.); and

3 (C) provide alternative water to households
4 and communities served by wells identified pur-
5 suant to paragraph (2)(B)(ii) as expeditiously
6 as possible, but in no case more than 30 days
7 after the notice is required under paragraph
8 (1).

9 (2) REQUIREMENTS OF NOTICE.—A notice pro-
10 vided under this subsection shall—

11 (A) be made available to the public and
12 provided to communities and households served
13 by private and public wells identified under
14 paragraph (1)(B); and

15 (B) include—

16 (i) an identification of any private or
17 public water well that is affected by a re-
18 lease, or the threat of a release, of PFAS
19 from the covered facility;

20 (ii) an identification of any private or
21 public water well with a concentration of a
22 PFAS chemical that exceeds the maximum
23 contaminant level established pursuant to
24 the Safe Drinking Water Act (42 U.S.C.
25 300f et seq.); and

1 (iii) a plan and schedule for the provi-
2 sion of safe alternative water for house-
3 holds and communities served by water
4 wells identified under clause (ii).

5 (f) EMERGENCY AUTHORITY.—The Secretary shall
6 expedite the provision of alternative water to avoid, miti-
7 gate, or eliminate an imminent and substantial
8 endangerment to the health of persons presented by a re-
9 lease or threatened release of a pollutant or contaminant
10 from an on-base source, including the use of emergency
11 authorities for approval of contracting services and the
12 commitment of funds.

13 (g) DEFINITIONS.—In this section:

14 (1) The term “covered facility” means—

15 (A) a military installation, as such term is
16 defined in section 2801(c)(4) of title 10, United
17 States Code;

18 (B) a formerly used defense site; or

19 (C) a National Guard facility, under the
20 meaning of such term in section 2700(4) of title
21 10, United States Code.

22 (2) The term “formerly used defense site”
23 means any site formerly used by the Department of
24 Defense or National Guard eligible for environ-
25 mental restoration by the Secretary of Defense fund-

1 ed under the “Environmental Restoration Account,
2 Formerly Used Defense Sites” account established
3 under section 2703(a)(5) of title 10, United States
4 Code.

5 (3) The term “underground source of drinking
6 water” has the meaning given such term in section
7 144.3 of title 40, Code of Federal Regulations, or
8 any successor regulation.

