

AMENDMENT TO H.R. _____

OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

Page 73, after line 17, insert the following:

1 **SEC. 139. CLEAN WATER ACT EFFLUENT STANDARDS,**
2 **PRETREATMENT STANDARDS, AND WATER**
3 **QUALITY CRITERIA FOR PFAS.**

4 (a) REVIEW AND REGULATION OF SUBSTANCES AND
5 SOURCES.—

6 (1) REVIEW.—

7 (A) IN GENERAL.—As soon as practicable,
8 but not later than September 30, 2021, and bi-
9 ennially thereafter, the Administrator shall pub-
10 lish in the Federal Register a plan under sub-
11 section (m) of section 304 of the Federal Water
12 Pollution Control Act (33 U.S.C. 1314) that
13 contains the results of a review, conducted in
14 accordance with such section, of the introduc-
15 tion or discharge of perfluoroalkyl and
16 polyfluoroalkyl substances from classes and cat-
17 egories of point sources (other than publicly
18 owned treatment works).

1 (B) INCLUSIONS.—The Administrator shall
2 include in each plan published pursuant to sub-
3 paragraph (A)—

4 (i) information on potential introduc-
5 tion or discharges of perfluoroalkyl and
6 polyfluoroalkyl substances;

7 (ii) any information gaps on such in-
8 troduction or discharges and the process
9 by which the Administrator will address
10 such gaps;

11 (iii) for each measurable
12 perfluoroalkyl and polyfluoroalkyl sub-
13 stance that is not on the list of toxic pol-
14 lutants described in section 307(a) of the
15 Federal Water Pollution Control Act, a de-
16 termination, in accordance with the re-
17 quirements of such section, whether or not
18 to add the substance to such list; and

19 (iv) a determination, in accordance
20 with the requirements of the Federal
21 Water Pollution Control Act, whether or
22 not to establish effluent limitations and
23 pretreatment standards for the introduc-
24 tion or discharge of each substance de-
25 scribed in clause (iii) that the Adminis-

1 trator determines under such clause not to
2 add to such list and for which the Admin-
3 istrator has not developed such limitations
4 or standards.

5 (2) REGULATION.—Based on the results of
6 each review conducted under paragraph (1) and in
7 accordance with the requirements of the Federal
8 Water Pollution Control Act, the Administrator
9 shall—

10 (A) in accordance with the plan published
11 under paragraph (1), as soon as practicable—

12 (i) for each measurable perfluoroalkyl
13 and polyfluoroalkyl substance that the Ad-
14 ministrator determines under paragraph
15 (1)(B)(iii) to add to the list of toxic pollut-
16 ants described in section 307(a) of such
17 Act, initiate the process for adding the
18 substance to such list; and

19 (ii) for each measurable perfluoroalkyl
20 and polyfluoroalkyl substance that the Ad-
21 ministrator determines under paragraph
22 (1)(B)(iv) to establish effluent limitations
23 and pretreatment standards, establish such
24 effluent limitations and pretreatment
25 standards (which limitations and standards

1 may be established by substance or by
2 class or category of substances); and

3 (B) not later than 2 years after the date
4 on which each plan is published under para-
5 graph (1), publish human health water quality
6 criteria for measurable perfluoroalkyl and
7 polyfluoroalkyl substances and classes and cat-
8 egories of perfluoroalkyl and polyfluoroalkyl
9 substances for which the Administrator has not
10 published such criteria.

11 (b) DEADLINES FOR COVERED PERFLUOROALKYL
12 SUBSTANCES.—

13 (1) WATER QUALITY CRITERIA.—Not later than
14 2 years after the date of enactment of this section,
15 the Administrator shall publish in the Federal Reg-
16 ister human health water quality criteria for each
17 covered perfluoroalkyl substance.

18 (2) EFFLUENT LIMITATIONS AND
19 PRETREATMENT STANDARDS FOR PRIORITY INDUS-
20 TRY CATEGORIES.—As soon as practicable, but not
21 later than 4 years after the date of enactment of
22 this section, the Administrator shall publish in the
23 Federal Register a final rule establishing, for each
24 priority industry category, effluent limitations and

1 pretreatment standards for the introduction or dis-
2 charge of each covered perfluoroalkyl substance.

3 (c) NOTIFICATION.—The Administrator shall notify
4 the Committee on Transportation and Infrastructure of
5 the House of Representatives and the Committee on Envi-
6 ronment and Public Works of the Senate of each publica-
7 tion made under this section.

8 (d) IMPLEMENTATION ASSISTANCE FOR PUBLICLY
9 OWNED TREATMENT WORKS.—

10 (1) IN GENERAL.—The Administrator shall
11 award grants, in amounts not to exceed \$100,000,
12 to owners and operators of publicly owned treatment
13 works, to be used for the implementation of a
14 pretreatment standard developed by the Adminis-
15 trator for a perfluoroalkyl or polyfluoroalkyl sub-
16 stance.

17 (2) AUTHORIZATION OF APPROPRIATIONS.—
18 There is authorized to be appropriated to the Ad-
19 ministrator to carry out this subsection
20 \$100,000,000 for each of fiscal years 2021 through
21 2025, to remain available until expended.

22 (e) DEFINITIONS.—In this section:

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

1 (2) COVERED PERFLUOROALKYL SUBSTANCE.—

2 The term “covered perfluoroalkyl substance” means
3 perfluorooctanoic acid, perfluorooctane sulfonic acid,
4 or a salt associated with perfluorooctanoic acid or
5 perfluorooctane sulfonic acid.

6 (3) EFFLUENT LIMITATION.—The term “efflu-
7 ent limitation” means an effluent limitation under
8 section 301(b) of the Federal Water Pollution Con-
9 trol Act (33 U.S.C. 1311).

10 (4) INTRODUCTION.—The term “introduction”
11 means the introduction of pollutants into treatment
12 works, as described in section 307(b) of the Federal
13 Water Pollution Control Act (33 U.S.C. 1317).

14 (5) MEASURABLE.—The term “measurable”
15 means, with respect to a chemical substance or class
16 or category of chemical substances, capable of being
17 measured using—

18 (A) test procedures established under sec-
19 tion 304(h) of the Federal Water Pollution
20 Control Act (33 U.S.C. 1314);

21 (B) applicable protocols and methodologies
22 required pursuant to section 4(a) of the Toxic
23 Substances Control Act (15 U.S.C. 2603); or

24 (C) any other analytical method developed
25 by the Administrator for detecting pollutants,

1 as such term is defined in section 502 of the
2 Federal Water Pollution Control Act (33 U.S.C.
3 1362).

4 (6) PRETREATMENT STANDARD.—The term
5 “pretreatment standard” means a pretreatment
6 standard under section 307(b) of the Federal Water
7 Pollution Control Act (33 U.S.C. 1317).

8 (7) PRIORITY INDUSTRY CATEGORY.—The term
9 “priority industry category” means the following
10 point source categories:

11 (A) Organic chemicals, plastics, and syn-
12 thetic fibers, as identified in part 414 of title
13 40, Code of Federal Regulations.

14 (B) Pulp, paper, and paperboard, as iden-
15 tified in part 430 of title 40, Code of Federal
16 Regulations.

17 (C) Textile mills, as identified in part 410
18 of title 40, Code of Federal Regulations.

19 (8) TREATMENT WORKS.—The term “treatment
20 works” has the meaning given that term in section
21 212 of the Federal Water Pollution Control Act (33
22 U.S.C. 1292).

23 (9) WATER QUALITY CRITERIA.—The term
24 “water quality criteria” means criteria for water

1 quality under section 304(a)(1) of the Federal
2 Water Pollution Control Act (33 U.S.C. 1314).

