

**AMENDMENT TO RULES COMMITTEE PRINT 117–
13
OFFERED BY MR. BRENDAN F. BOYLE OF
PENNSYLVANIA**

At the end of subtitle B of title III, add the following new section:

1 **SEC. 3 ____ . REVIEW OF AGREEMENTS WITH NON-DEPART-**
2 **MENT ENTITIES WITH RESPECT TO PREVEN-**
3 **TION AND MITIGATION OF SPILLS OF AQUE-**
4 **OUS FILM-FORMING FOAM.**

5 (a) REVIEW REQUIRED.—Not later than 180 days of
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall complete a review of mutual support
8 agreements entered into with non-Department of Defense
9 entities (including State and local entities) that involve
10 fire suppression activities in support of missions of the De-
11 partment.

12 (b) MATTERS.—The review under subsection (a) shall
13 assess, with respect to the agreements specified in such
14 subsection, the following:

15 (1) The preventative maintenance guidelines
16 specified in such agreements for fire trucks and fire
17 suppression systems, to mitigate the risk of equip-

1 ment failure that may result in a spill of aqueous
2 film-forming foam (in this section referred to as
3 “AFFF”).

4 (2) Any requirements specified in such agree-
5 ments for the use of personal protective equipment
6 by personnel when conducting a material transfer or
7 maintenance activity pursuant to the agreement that
8 may result in a spill of AFFF, or when conducting
9 remediation activities for such a spill, including re-
10 quirements for side-shield safety glasses, latex
11 gloves, and respiratory protection equipment.

12 (3) The methods by which the Secretary, or the
13 non-Department entity with which the Secretary has
14 entered into the agreement, ensures compliance with
15 guidance specified in the agreement with respect to
16 the use of such personal protective equipment.

17 (c) GUIDANCE.—Not later than 90 days after the
18 date on which the Secretary completes the review under
19 subsection (a), the Secretary shall issue guidance (based
20 on the results of such review) on requirements to include
21 under the agreements specified in such subsection, to en-
22 sure the prevention and mitigation of spills of AFFF.
23 Such guidance shall include, at a minimum, best practices
24 and recommended requirements to ensure the following:

1 (1) The supervision by personnel trained in re-
2 sponding to spills of AFFF of each material transfer
3 or maintenance activity carried out pursuant to such
4 an agreement that may result in such a spill.

5 (2) The use of containment berms and the cov-
6 ering of storm drains and catch basins by personnel
7 performing maintenance activities pursuant to such
8 an agreement in the vicinity of such drains or ba-
9 sins.

10 (3) The storage of materials for the cleanup
11 and containment of AFFF in close proximity to fire
12 suppression systems in buildings of the Department
13 and the presence of such materials during any trans-
14 fer or activity specified in paragraph (1).

15 (d) BRIEFING.—Not later than 30 days after the date
16 on which the Secretary issues the guidance under sub-
17 section (c), the Secretary shall provide to the congressional
18 defense committees a briefing that summarizes the results
19 of the review conducted under subsection (a) and the guid-
20 ance issued under subsection (c).

