AMENDMENT TO RULES COMMITTEE PRINT 115–23

OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

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

SEC. 316. CLEANUP AND REMEDIATION OF WELLS CONTAMINATED BY USE OF PERFLUOROOCTANE SULFONATE AND PERFLUOROOCTANOIC ACID AT MILITARY INSTALLATIONS.

(a) AGREEMENTS.—The Secretary of Defense shall enter into agreements with State and local governments for the cleanup or remediation of covered wells pursuant to section 2701(d) of title 10, United States Code. Under such agreement, the Secretary shall award such a State or local government an amount determined appropriate by the Secretary for such cleanup or remediation.

(b) ELIGIBLE ENTITIES.—The Secretary may enter into agreements under subsection (a) with any State or local government in whose jurisdiction a covered well is located.

(c) APPLICATION.—A State or local government seeking to enter into an agreement under subsection (a) shall
submit to the Secretary an application therefor in such form and in such manner as the Secretary considers appropriate.

(d) USE OF AMOUNTS.—A State or local government that enters into an agreement under subsection (a) shall use amounts awarded under the agreement to install and operate filtration systems on the well heads of such wells to reduce the level of perfluorinated contaminants in the water to a level of non-detect.

(e) DEFINITIONS.—In this section:

(1) The term “covered well” means any well that provides water for human consumption that the Secretary determines is contaminated with perfluorooctane sulfonate or perfluorooctanoic acid from firefighting foam used at military installations or former military installations. The Secretary shall determine such a well to be so contaminated if the well meets either or both of the following criteria:

(A) The well has perfluorooctane sulfonate or perfluorooctanoic acid in amounts that exceed the health advisory level established by the Environmental Protection Agency and the Secretary determines that such amounts are not likely to decrease below such amount during the
180-day period following the date of the enactment of this Act.

(B) The well has perfluorooctane sulfonate or perfluorooctanoic acid in amounts that exceed a health advisory level established by the State or local government in whose jurisdiction the well is located and the Secretary determines that such amounts are not likely to decrease below such amount during the 180-day period following the date of the enactment of this Act.

(2) The terms “perfluorooctane sulfonate” and “perfluorooctanoic acid” include related poly- and perfluoroalkyl substances found in firefighting foam.

(3) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.