

**AMENDMENT TO RULES COMMITTEE PRINT 116-  
45  
OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE**

Add at the end the following:

1 **SEC. \_\_\_\_ . 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).

