

Permanent Select Committee on Intelligence, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 7233. REGULATORY AUTHORITY.

Not later than 90 days after the date of the enactment of this Act, the President shall issue such regulations as are necessary to carry out this title, including guidance with respect to what activities are included under the definition of “opioid trafficking” under section 7203(8).

SEC. 7234. TERMINATION.

The provisions of this title, and any sanctions imposed pursuant to this title, shall terminate on the date that is 7 years after the date of the enactment of this Act.

SEC. 7235. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) **IN GENERAL.**—The authorities and requirements to impose sanctions under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) **GOOD DEFINED.**—In this section, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

TITLE LXXIII—PFAS

Sec. 7301. Short title.

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SEC. 7301. SHORT TITLE.

This title may be cited as the “PFAS Act of 2019”.

SEC. 7302. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

Subtitle A—Drinking Water

SEC. 7311. MONITORING AND DETECTION.

(a) MONITORING PROGRAM FOR UNREGULATED CONTAMINANTS.—

(1) IN GENERAL.—The Administrator shall include each substance described in paragraph (2) in the fifth publication of the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)).

(2) SUBSTANCES DESCRIBED.—The substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances—

(A) for which a method to measure the level in drinking water has been validated by the Administrator; and

(B) that are not subject to a national primary drinking water regulation.

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)) under paragraph (1) shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under that section.

(b) APPLICABILITY.—

(1) IN GENERAL.—The Administrator shall—

(A) require public water systems serving more than 10,000 persons to monitor for the substances described in subsection (a)(2);

(B) subject to paragraph (2) and the availability of appropriations, require public water systems serving not fewer than 3,300 and not more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(C) subject to paragraph (2) and the availability of appropriations, ensure that only a representative sample of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2).

(2) REQUIREMENT.—If the Administrator determines that there is not sufficient laboratory capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(3) FUNDS.—The Administrator shall pay the reasonable cost of such testing and laboratory analysis as is necessary to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1) using—

(A) funds made available pursuant to subsection (a)(2)(H) or subsection (j)(5) of section 1445 of the Safe Drinking Water Act (42 U.S.C. 300j–4); or

(B) any other funds made available for that purpose.

SEC. 7312. DRINKING WATER STATE REVOLVING FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended—

(1) in subsection (a)(2), by adding at the end the following:

“(G) EMERGING CONTAMINANTS.—

“(i) IN GENERAL.—Notwithstanding any other provision of law and subject to clause (ii), amounts deposited under subsection (t) in a State loan fund established under this section may only be used to provide grants for the purpose of addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

“(ii) REQUIREMENTS.—

“(I) SMALL AND DISADVANTAGED COMMUNITIES.—Not less than 25 percent of the amounts described in clause (i) shall be used to provide grants to—

“(aa) disadvantaged communities (as defined in subsection (d)(3)); or

“(bb) public water systems serving fewer than 25,000 persons.

“(II) PRIORITIES.—In selecting the recipient of a grant using amounts described in clause (i), a State shall use the priorities described in subsection (b)(3)(A).

“(iii) NO INCREASED BONDING AUTHORITY.—The amounts deposited in the State loan fund of a State under subsection (t) may not be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.”;

(2) in subsection (m)(1), in the matter preceding subparagraph (A), by striking “this section” and inserting “this section, except for subsections (a)(2)(G) and (t)”;

and

(3) by adding at the end the following:

“(t) EMERGING CONTAMINANTS.—

“(1) IN GENERAL.—Amounts made available under this subsection shall be allotted to a State as if allotted under subsection (a)(1)(D) as a capitalization grant, for deposit into the State loan fund of the State, for the purposes described in subsection (a)(2)(G).

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$100,000,000 for each of fiscal years 2020 through 2024, to remain available until expended.”.

Subtitle B—PFAS Release Disclosure

SEC. 7321. ADDITIONS TO TOXICS RELEASE INVENTORY.

(a) DEFINITION OF TOXICS RELEASE INVENTORY.—In this section, the term “toxics release inventory” means the list of toxic chemicals subject to the requirements of section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)).

(b) IMMEDIATE INCLUSION.—

(1) IN GENERAL.—Subject to subsection (e), beginning January 1 of the calendar year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory:

(A) Perfluorooctanoic acid (commonly referred to as “PFOA”) (Chemical Abstracts Service No. 335–67–1).

(B) The salts associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 3825–26–1, 335–95–5, and 68141–02–6).

(C) Perfluorooctane sulfonic acid (commonly referred to as “PFOS”) (Chemical Abstracts Service No. 1763–23–1).

(D) The salts associated with the chemical described in subparagraph (C) (Chemical Abstracts Service Nos. 2795–39–3, 29457–72–5, 56773–42–3, 29081–56–9, and 70225–14–8).

(E) A perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that is—

(i) listed as an active chemical substance in the February 2019 update to the inventory under section 8(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2607(b)(1)); and

(ii) on the date of enactment of this Act, subject to the provisions of—

(I) section 721.9582 of title 40, Code of Federal Regulations; or

(II) section 721.10536 of title 40, Code of Federal Regulations.

(F) Hexafluoropropylene oxide dimer acid (commonly referred to as “GenX”) (Chemical Abstracts Service No. 13252–13–6).

(G) The compound associated with the chemical described in subparagraph (F) identified by Chemical Abstracts Service No. 62037–80–3.

(H) Perfluorononanoic acid (commonly referred to as “PFNA”) (Chemical Abstracts Service No. 375–95–1).

(I) Perfluorohexanesulfonic acid (commonly referred to as “PFHxS”) (Chemical Abstracts Service No. 355–46–4).

(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting the chemicals described in paragraph (1) under section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023) is 100 pounds.

(B) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) determine whether revision of the threshold under subparagraph (A) is warranted for any chemical described in paragraph (1); and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(2)).

(c) INCLUSION FOLLOWING ASSESSMENT.—

(1) IN GENERAL.—

(A) DATE OF INCLUSION.—Subject to subsection (e), notwithstanding section 313 of the Emergency Planning and Community Right-To-Know Act of 1986, a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not described in subsection (b)(1) shall be deemed to be included in the toxics release inventory beginning January 1 of the calendar year after any of the following dates:

(i) FINAL TOXICITY VALUE.—The date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(ii) SIGNIFICANT NEW USE RULE.—The date on which the Administrator makes a covered determination for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(iii) ADDITION TO EXISTING SIGNIFICANT NEW USE RULE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is added to a list of substances covered by a covered determination.

(iv) ADDITION AS ACTIVE CHEMICAL SUBSTANCE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances to which a covered determination applies is—

- (I) added to the list published under paragraph (1) of section 8(b) of the Toxic Substances Control Act and designated as an active chemical substance under paragraph (5)(A) of such section; or
- (II) designated as an active chemical substance on such list under paragraph (5)(B) of such section.

(B) COVERED DETERMINATION.—For purposes of this paragraph, a covered determination is a determination made, by rule, under section 5(a)(2) of the Toxic Substances Control Act that a use of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is a significant new use (except such a determination made in connection with a determination described in section 5(a)(3)(B) or section 5(a)(3)(C) of such Act).

(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding subsection (f)(1) of section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023), the threshold for reporting under such section 313 the substances and classes of substances included in the toxics release inventory under paragraph (1) is 100 pounds.

(B) REVISIONS.—Not later than 5 years after the date on which a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is included in the toxics release inventory under paragraph (1), the Administrator shall—

- (i) determine whether revision of the threshold under subparagraph (A) is warranted for the substance or class of substances; and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(2)).

(d) INCLUSION FOLLOWING DETERMINATION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall determine whether the substances and classes of substances described in paragraph (2) meet any one of the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(d)(2)) for inclusion in the toxics release inventory.

(2) SUBSTANCES DESCRIBED.—The substances and classes of substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances not described in subsection (b)(1), including—

(A) perfluorof(2-pentafluoroethoxy-ethoxy)acetic acid] ammonium salt (Chemical Abstracts Service No. 908020-52-0);

(B) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propanoyl fluoride (Chemical Abstracts Service No. 2479-75-6);

(C) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propionic acid (Chemical Abstracts Service No. 2479-73-4);

(D) 3H-perfluoro-3-[(3-methoxy-propoxy) propanoic acid] (Chemical Abstracts Service No. 919005-14-4);

(E) the salts associated with the chemical described in subparagraph (D) (Chemical Abstracts Service Nos. 958445-44-8, 1087271-46-2, and NOCAS 892452);

(F) 1-octanesulfonic acid 3,3,4,4,5,5,6,6,7,7,8,8-tridecafluoro-potassium salt (Chemical Abstracts Service No. 59587-38-1);

(G) perfluorobutanesulfonic acid (Chemical Abstracts Service No. 375-73-5);

(H) 1-Butanesulfonic acid, 1,1,2,2,3,3,4,4,4-nonafluoro-potassium salt (Chemical Abstracts Service No. 29420-49-3);

(I) the component associated with the chemical described in subparagraph (H) (Chemical Abstracts Service No. 45187-15-3);

(J) heptafluorobutyric acid (Chemical Abstracts Service No. 375-22-4);

(K) perfluorohexanoic acid (Chemical Abstracts Service No. 307-24-4);

(L) the compound associated with the chemical described in subsection (b)(1)(F) identified by Chemical Abstracts Service No. 2062-98-8;

(M) perfluoroheptanoic acid (commonly referred to as “PFHpA”) (Chemical Abstracts Service No. 375-85-9);

(N) each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a method to measure levels in drinking water has been validated by the Administrator; and

(O) a perfluoroalkyl and polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances other than the chemicals described in subparagraphs (A) through (N) that is used to manufacture fluorinated polymers, as determined by the Administrator.

(3) ADDITION TO TOXICS RELEASE INVENTORY.—Subject to subsection (e), if the Administrator determines under paragraph (1) that a substance or a class of substances described in paragraph (2) meets any one of the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(d)(2)), the Administrator shall revise the toxics release inventory in accordance with such section 313(d) to include that substance or class of substances not later than 2 years after the date on which the Administrator makes the determination.

(e) CONFIDENTIAL BUSINESS INFORMATION.—

(1) IN GENERAL.—Prior to including on the toxics release inventory pursuant to subsection (b)(1), (c)(1), or (d)(3) any perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances the chemical identity of which is subject to a claim of a person of protection from disclosure under subsection (a) of section 552 of title 5, United States Code, pursuant to subsection (b)(4) of that section, the Administrator shall—

(A) review any such claim of protection from disclosure;

and

(B) require that person to reassert and substantiate or resubstantiate that claim in accordance with section 14(f) of the Toxic Substances Control Act (15 U.S.C. 2613(f)).

(2) NONDISCLOSURE OF PROTECTION INFORMATION.—If the Administrator determines that the chemical identity of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances qualifies for protection from disclosure pursuant to paragraph (1), the Administrator shall include the substance or class of substances, as applicable, on the toxics release inventory in a manner that does not disclose the protected information.

(f) EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986.—Section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)) is amended—

(1) by striking the period at the end and inserting “; and”;

(2) by striking “are those chemicals” and inserting the following: “are—

“(1) the chemicals”; and

(3) by adding at the end the following:

“(2) the chemicals included on such list under subsections (b)(1), (c)(1), and (d)(3) of section 7321 of the PFAS Act of 2019.”.

Subtitle C—USGS Performance Standard

SEC. 7331. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term “Director” means the Director of the United States Geological Survey.

(2) HIGHLY FLUORINATED COMPOUND.—

(A) IN GENERAL.—The term “highly fluorinated compound” means a perfluoroalkyl substance or a polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(B) DEFINITIONS.—In this paragraph:

(i) FULLY FLUORINATED CARBON ATOM.—The term “fully fluorinated carbon atom” means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(ii) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(iii) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a chemical containing at least one fully fluorinated carbon atom and at least one carbon atom that is not a fully fluorinated carbon atom.

SEC. 7332. PERFORMANCE STANDARD FOR THE DETECTION OF HIGHLY FLUORINATED COMPOUNDS.

(a) IN GENERAL.—The Director, in consultation with the Administrator, shall establish a performance standard for the detection of highly fluorinated compounds.

(b) EMPHASIS.—

(1) IN GENERAL.—In developing the performance standard under subsection (a), the Director shall emphasize the ability to detect as many highly fluorinated compounds present in the environment as possible using validated analytical methods that—

(A) achieve limits of quantitation (as defined in the document of the United States Geological Survey entitled “Analytical Methods for Chemical Analysis of Geologic and Other Materials, U.S. Geological Survey” and dated 2002); and

(B) are as sensitive as is feasible and practicable.

(2) REQUIREMENT.—In developing the performance standard under subsection (a), the Director may—

(A) develop quality assurance and quality control measures to ensure accurate sampling and testing;

(B) develop a training program with respect to the appropriate method of sample collection and analysis of highly fluorinated compounds; and

(C) coordinate as necessary with the Administrator, including, if appropriate, to develop methods to detect individual and different highly fluorinated compounds simultaneously.

SEC. 7333. NATIONWIDE SAMPLING.

(a) IN GENERAL.—The Director shall carry out a nationwide sampling to determine the concentration of highly fluorinated compounds in estuaries, lakes, streams, springs, wells, wetlands, rivers, aquifers, and soil using the performance standard developed under section 7332(a).

(b) REQUIREMENTS.—In carrying out the sampling under subsection (a), the Director shall—

(1) first carry out the sampling at sources of drinking water near locations with known or suspected releases of highly fluorinated compounds;

(2) when carrying out sampling of sources of drinking water under paragraph (1), carry out the sampling prior to and, at the request of the Administrator, after any treatment of the water;

(3) survey for ecological exposure to highly fluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(4) consult with—

(A) States to determine areas that are a priority for sampling; and

(B) the Administrator—

(i) to enhance coverage of the sampling; and

(ii) to avoid unnecessary duplication.

(c) REPORT.—Not later than 120 days after the completion of the sampling under subsection (a), the Director shall prepare a report describing the results of the sampling and submit the report to—

(1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives;

(3) the Senators of each State in which the Director carried out the sampling; and

(4) each Member of the House of Representatives who represents a district in which the Director carried out the sampling.

SEC. 7334. DATA USAGE.

(a) IN GENERAL.—The Director shall provide the sampling data collected under section 7333 to—

(1) the Administrator; and

(2) other Federal and State regulatory agencies on request.

(b) USAGE.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

SEC. 7335. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—

(1) appropriate Federal and State regulators;

(2) institutions of higher education;

(3) research institutions; and

(4) other expert stakeholders.

Subtitle D—Emerging Contaminants

SEC. 7341. DEFINITIONS.

In this subtitle:

(1) CONTAMINANT.—The term “contaminant” means any physical, chemical, biological, or radiological substance or matter in water.

(2) **CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.**—The terms “contaminant of emerging concern” and “emerging contaminant” mean a contaminant—

(A) for which the Administrator has not promulgated a national primary drinking water regulation; and

(B) that may have an adverse effect on the health of individuals.

(3) **FEDERAL RESEARCH STRATEGY.**—The term “Federal research strategy” means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of emerging contaminants in drinking water developed by the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the Senate accompanying S. 1662 of the 115th Congress (S. Rept. 115–139).

(4) **TECHNICAL ASSISTANCE AND SUPPORT.**—The term “technical assistance and support” includes—

(A) assistance with—

(i) identifying appropriate analytical methods for the detection of contaminants;

(ii) understanding the strengths and limitations of the analytical methods described in clause (i);

(iii) troubleshooting the analytical methods described in clause (i);

(B) providing advice on laboratory certification program elements;

(C) interpreting sample analysis results;

(D) providing training with respect to proper analytical techniques;

(E) identifying appropriate technology for the treatment of contaminants; and

(F) analyzing samples, if—

(i) the analysis cannot be otherwise obtained in a practicable manner otherwise; and

(ii) the capability and capacity to perform the analysis is available at a Federal facility.

(5) **WORKING GROUP.**—The term “Working Group” means the Working Group established under section 7342(b)(1).

SEC. 7342. RESEARCH AND COORDINATION PLAN FOR ENHANCED RESPONSE ON EMERGING CONTAMINANTS.

(a) **IN GENERAL.**—The Administrator shall—

(1) review Federal efforts—

(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and

(B) to assist States in responding to the human health risks posed by contaminants of emerging concern; and

(2) in collaboration with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal efforts referred to in paragraph (1).

(b) **INTERAGENCY WORKING GROUP ON EMERGING CONTAMINANTS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator and the Secretary of Health and Human Services shall jointly establish a Working Group to coordinate the activities of the Federal Government

to identify and analyze the public health effects of drinking water contaminants of emerging concern.

(2) MEMBERSHIP.—The Working Group shall include representatives of the following:

(A) The Environmental Protection Agency, appointed by the Administrator.

(B) The following agencies, appointed by the Secretary of Health and Human Services:

(i) The National Institutes of Health.

(ii) The Centers for Disease Control and Prevention.

(iii) The Agency for Toxic Substances and Disease Registry.

(C) The United States Geological Survey, appointed by the Secretary of the Interior.

(D) Any other Federal agency the assistance of which the Administrator determines to be necessary to carry out this subsection, appointed by the head of the respective agency.

(3) EXISTING WORKING GROUP.—The Administrator may expand or modify the duties of an existing working group to perform the duties of the Working Group under this subsection.

(c) NATIONAL EMERGING CONTAMINANT RESEARCH INITIATIVE.—

(1) FEDERAL RESEARCH STRATEGY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy (referred to in this subsection as the “Director”) shall coordinate with the heads of the agencies described in subparagraph (C) to establish a research initiative, to be known as the “National Emerging Contaminant Research Initiative”, that shall—

(i) use the Federal research strategy to improve the identification, analysis, monitoring, and treatment methods of contaminants of emerging concern; and

(ii) develop any necessary program, policy, or budget to support the implementation of the Federal research strategy, including mechanisms for joint agency review of research proposals, for interagency cofunding of research activities, and for information sharing across agencies.

(B) RESEARCH ON EMERGING CONTAMINANTS.—In carrying out subparagraph (A), the Director shall—

(i) take into consideration consensus conclusions from peer-reviewed, pertinent research on emerging contaminants; and

(ii) in consultation with the Administrator, identify priority emerging contaminants for research emphasis.

(C) FEDERAL PARTICIPATION.—The agencies referred to in subparagraph (A) include—

(i) the National Science Foundation;

(ii) the National Institutes of Health;

(iii) the Environmental Protection Agency;

(iv) the National Institute of Standards and Technology;

(v) the United States Geological Survey; and

(vi) any other Federal agency that contributes to research in water quality, environmental exposures, and public health, as determined by the Director.

(D) PARTICIPATION FROM ADDITIONAL ENTITIES.—In carrying out subparagraph (A), the Director shall consult with nongovernmental organizations, State and local governments, and science and research institutions determined by the Director to have scientific or material interest in the National Emerging Contaminant Research Initiative.

(2) IMPLEMENTATION OF RESEARCH RECOMMENDATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Director and heads of the agencies described in paragraph (1)(C) establish the National Emerging Contaminant Research Initiative under paragraph (1)(A), the head of each agency described in paragraph (1)(C) shall—

(i) issue a solicitation for research proposals consistent with the Federal research strategy and that agency's mission; and

(ii) make grants to applicants that submit research proposals consistent with the Federal research strategy and in accordance with subparagraph (B).

(B) SELECTION OF RESEARCH PROPOSALS.—The head of each agency described in paragraph (1)(C) shall select research proposals to receive grants under this paragraph on the basis of merit, using criteria identified by the head of each such agency, including the likelihood that the proposed research will result in significant progress toward achieving the objectives identified in the Federal research strategy.

(C) ELIGIBLE ENTITIES.—Any entity or group of 2 or more entities may submit to the head of each agency described in paragraph (1)(C) a research proposal in response to the solicitation for research proposals described in subparagraph (A)(i), including, consistent with that agency's grant policies—

(i) State and local agencies;

(ii) public institutions, including public institutions of higher education;

(iii) private corporations; and

(iv) nonprofit organizations.

(d) FEDERAL TECHNICAL ASSISTANCE AND SUPPORT FOR STATES.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall conduct a study on actions the Administrator can take to increase technical assistance and support for States with respect to emerging contaminants in drinking water samples.

(B) CONTENTS OF STUDY.—In carrying out the study described in subparagraph (A), the Administrator shall identify—

(i) methods and effective treatment options to increase technical assistance and support with respect

to emerging contaminants to States, including identifying opportunities for States to improve communication with various audiences about the risks associated with emerging contaminants;

(ii) means to facilitate access to qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(iii) actions to be carried out at existing Federal laboratory facilities, including the research facilities of the Administrator, to provide technical assistance and support for States that require testing facilities for emerging contaminants.

(C) AVAILABILITY OF ANALYTICAL RESOURCES.—In carrying out the study described in subparagraph (A), the Administrator shall consider—

(i) the availability of—

(I) Federal and non-Federal laboratory capacity; and

(II) validated methods to detect and analyze contaminants; and

(ii) other factors determined to be appropriate by the Administrator.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report describing the results of the study described in paragraph (1).

(3) PROGRAM TO PROVIDE FEDERAL ASSISTANCE TO STATES.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, based on the findings in the report described in paragraph (2), the Administrator shall develop a program to provide technical assistance and support to eligible States for the testing and analysis of emerging contaminants.

(B) APPLICATION.—

(i) IN GENERAL.—To be eligible for technical assistance and support under this paragraph, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(ii) CRITERIA.—The Administrator shall evaluate an application for technical assistance and support under this paragraph on the basis of merit using criteria identified by the Administrator, including—

(I) the laboratory facilities available to the State;

(II) the availability and applicability of existing analytical methodologies;

(III) the potency and severity of the emerging contaminant, if known; and

(IV) the prevalence and magnitude of the emerging contaminant.

(iii) PRIORITIZATION.—In selecting States to receive technical assistance and support under this paragraph, the Administrator—

(I) shall give priority to States with affected areas primarily in financially distressed communities;

(II) may—

(aa) waive the application process in an emergency situation; and

(bb) require an abbreviated application process for the continuation of work specified in a previously approved application that continues to meet the criteria described in clause (ii); and

(III) shall consider the relative expertise and availability of—

(aa) Federal and non-Federal laboratory capacity available to the State;

(bb) analytical resources available to the State; and

(cc) other types of technical assistance available to the State.

(C) DATABASE OF AVAILABLE RESOURCES.—The Administrator shall establish and maintain a database of resources available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(i) is—

(I) available to States and stakeholder groups determined by the Administrator to have scientific or material interest in emerging contaminants, including—

(aa) drinking water and wastewater utilities;

(bb) laboratories;

(cc) Federal and State emergency responders;

(dd) State primacy agencies;

(ee) public health agencies; and

(ff) water associations;

(II) searchable; and

(III) accessible through the website of the Administrator; and

(ii) includes a description of—

(I) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(II) the resources available in Federal laboratory facilities to test for emerging contaminants.

(D) WATER CONTAMINANT INFORMATION TOOL.—The Administrator shall integrate the database established under subparagraph (C) into the Water Contaminant Information Tool of the Environmental Protection Agency.

(4) FUNDING.—Of the amounts available to the Administrator, the Administrator may use not more than \$15,000,000 in a fiscal year to carry out this subsection.

(e) REPORT.—Not less frequently than once every 2 years until 2029, the Administrator shall submit to Congress a report that describes the progress made in carrying out this subtitle.

(f) EFFECT.—Nothing in this section modifies any obligation of a State, local government, or Indian Tribe with respect to treatment methods for, or testing or monitoring of, drinking water.

Subtitle E—Toxic Substances Control Act

SEC. 7351. PFAS DATA CALL.

Section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2607(a)) is amended by adding at the end the following:

“(7) PFAS DATA.—Not later than January 1, 2023, the Administrator shall promulgate a rule in accordance with this subsection requiring each person who has manufactured a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance in any year since January 1, 2011, to submit to the Administrator a report that includes, for each year since January 1, 2011, the information described in subparagraphs (A) through (G) of paragraph (2).”.

SEC. 7352. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN PFAS.

Not later than June 22, 2020, the Administrator shall take final action on the proposed rule entitled “Long-Chain Perfluoroalkyl Carboxylate and Perfluoroalkyl Sulfonate Chemical Substances; Significant New Use Rule” (80 Fed. Reg. 2885 (January 21, 2015)).

Subtitle F—Other Matters

SEC. 7361. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish interim guidance on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances and materials containing perfluoroalkyl and polyfluoroalkyl substances, including—

- (1) aqueous film-forming foam;
- (2) soil and biosolids;
- (3) textiles, other than consumer goods, treated with perfluoroalkyl and polyfluoroalkyl substances;
- (4) spent filters, membranes, resins, granular carbon, and other waste from water treatment;
- (5) landfill leachate containing perfluoroalkyl and polyfluoroalkyl substances; and
- (6) solid, liquid, or gas waste streams containing perfluoroalkyl and polyfluoroalkyl substances from facilities manufacturing or using perfluoroalkyl and polyfluoroalkyl substances.

(b) CONSIDERATIONS; INCLUSIONS.—The interim guidance under subsection (a) shall—

- (1) take into consideration—
 - (A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and
 - (B) potentially vulnerable populations living near likely destruction or disposal sites; and
- (2) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for releases described in paragraph (1)(A).

(c) REVISIONS.—The Administrator shall publish revisions to the interim guidance under subsection (a) as the Administrator

determines to be appropriate, but not less frequently than once every 3 years.

SEC. 7362. PFAS RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(1)(A) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(B) make publicly available information relating to the findings under subparagraph (A);

(2) develop a process for prioritizing which perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, should be subject to additional research efforts that is based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances;

(3) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, groundwater, solids, and the air;

(4) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(5) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances.

(b) **FUNDING.**—There is authorized to be appropriated to the Administrator to carry out this section \$15,000,000 for each of fiscal years 2020 through 2024.

TITLE LXXIV—CAESAR SYRIA CIVILIAN PROTECTION ACT OF 2019

Sec. 7401. Short title.

Sec. 7402. Statement of policy.

Subtitle A—Additional Actions in Connection With the National Emergency With Respect to Syria

Sec. 7411. Measures with respect to Central Bank of Syria.

Sec. 7412. Sanctions with respect to foreign persons that engage in certain transactions.

Sec. 7413. Strategy relating to areas of Syria in which civilians are subject to forced displacement.

Subtitle B—Assistance for the People of Syria

Sec. 7421. Sense of Congress.

Sec. 7422. Briefing on monitoring and evaluating of ongoing assistance programs in Syria and to the Syrian people.

Sec. 7423. Assessment of potential methods to enhance the protection of civilians.

Sec. 7424. Assistance to support entities taking actions relating to gathering evidence for investigations into war crimes or crimes against humanity in Syria since March 2011.

Sec. 7425. Codification of certain services in support of nongovernmental organizations' activities authorized.