

117TH CONGRESS  
1ST SESSION

# H. R. 3622

To require the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2021

Mr. PAPPAS (for himself, Mr. DELGADO, Mr. FITZPATRICK, Mr. KILDEE, Mr. POSEY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEFazio, Mrs. NAPOLITANO, Mrs. LAWRENCE, Mr. LOWENTHAL, Mr. LYNCH, Mr. NEAL, Ms. KUSTER, Ms. LEE of California, Ms. BROWNLEY, Mr. NADLER, Ms. TLAIB, Ms. DEAN, Mr. WELCH, Ms. NORTON, Mr. JOHNSON of Georgia, Ms. DEGETTE, Ms. ROSS, Mrs. DINGELL, Mr. POCAN, Ms. WILLIAMS of Georgia, Ms. SHERRILL, Ms. SEWELL, Mr. SCOTT of Virginia, Ms. SLOTKIN, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To require the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clean Water Standards  
5 for PFAS Act of 2021”.

6 **SEC. 2. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDE-**  
7 **LINES AND STANDARDS AND WATER QUALITY**  
8 **CRITERIA FOR PFAS.**

9 (a) DEADLINES.—

10 (1) WATER QUALITY CRITERIA.—Not later than  
11 2 years after the date of enactment of this section,  
12 the Administrator shall publish in the Federal Reg-  
13 ister human health water quality criteria under sec-  
14 tion 304(a)(1) of the Federal Water Pollution Con-  
15 trol Act (33 U.S.C. 1314) for each measurable  
16 perfluoroalkyl substance, polyfluoroalkyl substance,  
17 and class of such substances.

18 (2) EFFLUENT LIMITATIONS GUIDELINES AND  
19 STANDARDS FOR PRIORITY INDUSTRY CAT-  
20 EGORIES.—As soon as practicable, but not later  
21 than 4 years after the date of enactment of this sec-  
22 tion, the Administrator shall publish in the Federal  
23 Register a final rule establishing, for each priority  
24 industry category, effluent limitations guidelines and  
25 standards, in accordance with the Federal Water

1 Pollution Control Act, for the discharge (including a  
2 discharge into a publicly owned treatment works) of  
3 each measurable perfluoroalkyl substance,  
4 polyfluoroalkyl substance, and class of such sub-  
5 stances.

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

11 (c) IMPLEMENTATION ASSISTANCE FOR PUBLICLY  
12 OWNED TREATMENT WORKS.—

13 (1) IN GENERAL.—The Administrator shall  
14 award grants to owners and operators of publicly  
15 owned treatment works, to be used to implement ef-  
16 fluent limitations guidelines and standards developed  
17 by the Administrator for a perfluoroalkyl substance,  
18 polyfluoroalkyl substance, or class of such sub-  
19 stances.

20 (2) AUTHORIZATION OF APPROPRIATIONS.—  
21 There is authorized to be appropriated to the Ad-  
22 ministrator to carry out this subsection  
23 \$200,000,000 for each of fiscal years 2022 through  
24 2026, to remain available until expended.

25 (d) DEFINITIONS.—In this section:

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

4           (2) EFFLUENT LIMITATION.—The term “efflu-  
5           ent limitation” has the meaning given that term in  
6           section 502 of the Federal Water Pollution Control  
7           Act (33 U.S.C. 1362).

8           (3) MEASURABLE.—The term “measurable”  
9           means, with respect to a chemical substance or class  
10          of chemical substances, capable of being measured  
11          using—

12                   (A) test procedures established under sec-  
13                   tion 304(h) of the Federal Water Pollution  
14                   Control Act (33 U.S.C. 1314); or

15                   (B) any other analytical method developed  
16                   by the Administrator.

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

21          (5) POLYFLUOROALKYL SUBSTANCE.—The  
22          term “polyfluoroalkyl substance” means a chemical  
23          containing at least one fully fluorinated carbon atom  
24          and at least one carbon atom that is not a fully  
25          fluorinated carbon atom.

1           (6) PRIORITY INDUSTRY CATEGORY.—The term  
2           “priority industry category” means the following  
3           point source categories:

4                   (A) Organic chemicals, plastics, and syn-  
5                   thetic fibers, as identified in part 414 of title  
6                   40, Code of Federal Regulations (or successor  
7                   regulations).

8                   (B) Pulp, paper, and paperboard, as iden-  
9                   tified in part 430 of title 40, Code of Federal  
10                   Regulations (or successor regulations).

11                   (C) Textile mills, as identified in part 410  
12                   of title 40, Code of Federal Regulations (or suc-  
13                   cessor regulations).

14                   (D) Electroplating, as identified in part  
15                   413 of title 40, Code of Federal Regulations (or  
16                   successor regulations).

17                   (E) Metal finishing, as identified in part  
18                   433 of title 40, Code of Federal Regulations (or  
19                   successor regulations).

20                   (F) Leather tanning and finishing, as iden-  
21                   tified in part 425 of title 40, Code of Federal  
22                   Regulations (or successor regulations).

23                   (G) Paint formulating, as identified in part  
24                   446 of title 40, Code of Federal Regulations (or  
25                   successor regulations).

1           (H) Electrical and electronic components,  
2           as identified in part 469 of title 40, Code of  
3           Federal Regulations (or successor regulations).

4           (I) Plastics molding and forming, as iden-  
5           tified in part 463 of title 40, Code of Federal  
6           Regulations (or successor regulations).

7           (7) TREATMENT WORKS.—The term “treatment  
8           works” has the meaning given that term in section  
9           212 of the Federal Water Pollution Control Act (33  
10          U.S.C. 1292).

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