

115TH CONGRESS
2D SESSION

S. 3382

To require the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 23, 2018

Ms. STABENOW (for herself, Mr. ROUNDS, Mr. CARPER, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, 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 “PFAS Detection Act
5 of 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

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

6 (3) PERFLUORINATED COMPOUND.—

7 (A) IN GENERAL.—The term “perfluori-
8 nated compound” means a perfluoroalkyl sub-
9 stance or a polyfluoroalkyl substance that is
10 manmade with at least 1 fully fluorinated car-
11 bon atom.

12 (B) DEFINITIONS.—In this definition:

13 (i) FULLY FLUORINATED CARBON
14 ATOM.—The term “fully fluorinated carbon
15 atom” means a carbon atom on which all
16 the hydrogen substituents have been re-
17 placed by fluorine.

18 (ii) NON-FLUORINATED CARBON
19 ATOM.—The term “nonfluorinated carbon
20 atom” means a carbon atom on which no
21 hydrogen substituents have been replaced
22 by fluorine.

23 (iii) PARTIALLY FLUORINATED CAR-
24 BON ATOM.—The term “partially
25 fluorinated carbon atom” means a carbon

1 atom on which some, but not all, of the hy-
2 drogen substituents have been replaced by
3 fluorine.

4 (iv) PERFLUOROALKYL SUBSTANCE.—
5 The term “perfluoroalkyl substance”
6 means a manmade chemical of which all of
7 the carbon atoms are fully fluorinated car-
8 bon atoms.

9 (v) POLYFLUOROALKYL SUB-
10 STANCE.—The term “polyfluoroalkyl sub-
11 stance” means a manmade chemical con-
12 taining a mix of fully fluorinated carbon
13 atoms, partially fluorinated carbon atoms,
14 and nonfluorinated carbon atoms.

15 **SEC. 3. PERFORMANCE STANDARD FOR THE DETECTION**
16 **OF PERFLUORINATED COMPOUNDS.**

17 (a) IN GENERAL.—The Director shall establish a per-
18 formance standard for the detection of perfluorinated
19 compounds.

20 (b) EMPHASIS.—

21 (1) IN GENERAL.—In developing the perform-
22 ance standard under subsection (a), the Director
23 shall emphasize the ability to detect as many
24 perfluorinated compounds present in the environ-

1 ment as possible using analytical methods that are
2 as sensitive as is feasible and practicable.

3 (2) REQUIREMENT.—In developing the per-
4 formance standard under subsection (a), the Direc-
5 tor may—

6 (A) develop methods to detect different
7 perfluorinated compounds simultaneously;

8 (B) develop methods to detect specific
9 perfluorinated compounds, if the specific
10 perfluorinated compound is difficult to detect
11 using a method under subparagraph (A); and

12 (C) coordinate as necessary with the Ad-
13 ministrator.

14 **SEC. 4. NATIONWIDE SAMPLING.**

15 (a) IN GENERAL.—The Director shall carry out a na-
16 tionwide sampling to determine the concentration of
17 perfluorinated compounds in estuaries, lakes, streams,
18 springs, wells, wetlands, rivers, aquifers, and soil using the
19 performance standard developed under section 3(a).

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

22 (1) first carry out the sampling at sources of
23 drinking water near locations with known or sus-
24 pected releases of perfluorinated compounds;

1 (2) when carrying out sampling of sources of
2 drinking water under paragraph (1), carry out the
3 sampling prior to any treatment of the water;

4 (3) survey for ecological exposure to
5 perfluorinated compounds, with a priority in deter-
6 mining direct human exposure through drinking
7 water; and

8 (4) consult with—

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

11 (B) the Administrator—

12 (i) to enhance coverage of the sam-
13 pling; and

14 (ii) to avoid unnecessary duplication.

15 (c) REPORT.—Not later than 90 days after the com-
16 pletion of the sampling under subsection (a), the Director
17 shall prepare a report describing the results of the sam-
18 pling and submit the report to—

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

22 (2) the Committee on Energy and Commerce of
23 the House of Representatives;

24 (3) the Senators of each State in which the Di-
25 rector carried out the sampling; and

1 (4) each Member of the House of Representa-
2 tives that represents a district in which the Director
3 carried out the sampling.

4 **SEC. 5. DATA USAGE.**

5 (a) IN GENERAL.—The Director shall provide the
6 sampling data collected under section 4 to—

7 (1) the Administrator of the Environmental
8 Protection Agency; and

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

11 (b) USAGE.—The sampling data provided under sub-
12 section (a) shall be used to inform and enhance assess-
13 ments of exposure, likely health and environmental im-
14 pacts, and remediation priorities.

15 **SEC. 6. COLLABORATION.**

16 In carrying out this Act, the Director shall collabo-
17 rate with—

18 (1) appropriate Federal and State regulators;

19 (2) institutions of higher education; and

20 (3) research institutions.

21 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to the Direc-
23 tor to carry out this Act—

24 (1) \$5,000,000 for fiscal year 2019; and

- 1 (2) \$10,000,000 for each of fiscal years 2020
- 2 through 2023.

○