

# Bipartisan PFAS Senate Legislation Drafted: United States Senators Carper and Capito Seek Stakeholder Comment



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United States Senators Tom Carper (Delaware) and Shelley Moore Capito (West Virginia) released draft per- and polyfluoroalkyl substances (“PFAS”) legislation for stakeholder comment.

Senator Carper and Senator Capito are the Chair and Ranking Member, respectively, of the United States Senate Environment and Public Works Committee.

The Senators describe the goal of the draft legislation as improvement of the mitigation and remediation of PFAS contamination.

The Senators recognize that the United States Environmental Protection Agency (“EPA”) has already undertaken various measures to address PFAS such as:

- Proposed Safe Drinking Water Act MCL Standards
- Proposed CERCLA Hazardous Substance Designation
- Expand the Toxic Release Inventory List

The draft legislation includes provisions that:

- Establish a September 30, 2024, deadline for EPA to finalize its rulemaking process to set Safe Drinking Water Act standards for certain PFAS substances
- Support the ability of states to inventory industrial users of PFAS within their borders
- Authorize grant programs for the development of treatment technologies for PFAS
- Create a prize competition to encourage innovation in the development of technologies that can:
- Help identify PFAS in the environment
- Prevent further contamination
- Remediate or destroy PFAS

Stated objectives of the draft legislation include:

- Provide a consistent and practical definition of PFAS compounds
- Bolster understanding of beneficial and nonessential uses of PFAS in commerce
- Direct EPA to create a clearinghouse of state and private sector best practices to support informed decision-making on PFAS
- Direct EPA to work with an external standards-setting organization to supplement the agency’s work on PFAS standards which include:
  - Detection
  - Reduction

- Destruction
- Remediation
- Verification

The draft legislation would also:

- Amend the Safe Drinking Water Act State Response to Contaminants program, as amended in the Infrastructure Investment and Jobs Act, to allow states to assist individual well owners
- Authorize a new emergency response program to support the most vulnerable communities adversely affected by acute contamination issues

The Senate Environment and Public Works Committee is seeking stakeholder comments on the draft legislation by July 3rd.

A copy of the draft legislation can be downloaded [here](#).