

118TH CONGRESS  
2D SESSION

# H. R. 9286

To direct the Secretary of Defense to expedite the implementation of early actions to mitigate the migration of groundwater contaminated by per- and polyfluoroalkyl substances from a source located on a military installation to protect or minimize the effects on groundwater, surface water, underground sources of drinking water, and sediment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2024

Ms. SLOTKIN (for herself and Mrs. KIGGANS of Virginia) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To direct the Secretary of Defense to expedite the implementation of early actions to mitigate the migration of groundwater contaminated by per- and polyfluoroalkyl substances from a source located on a military installation to protect or minimize the effects on groundwater, surface water, underground sources of drinking water, and sediment, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Accelerating DoD  
3 PFAS Cleanups Act of 2024”.

4 **SEC. 2. EXPEDITED ACTION TO ADDRESS THE MIGRATION**  
5                   **OF PER- AND POLYFLUOROALKYL SUB-**  
6                   **STANCES FROM DEPARTMENT OF DEFENSE**  
7                   **INSTALLATIONS AND NATIONAL GUARD FA-**  
8                   **CILITIES.**

9       (a) IN GENERAL.—The Secretary of Defense shall ex-  
10 pedite the implementation of early actions to mitigate the  
11 migration of groundwater contaminated by per- and  
12 polyfluoroalkyl substances (hereinafter in this section re-  
13 ferred to as “PFAS”) from a source located on a military  
14 installation to protect or minimize the effects on ground-  
15 water, surface water, underground sources of drinking  
16 water, and sediment.

17       (b) EVALUATION AND ASSESSMENT.—Not later than  
18 180 days after the date of the enactment of this Act, the  
19 Secretary shall complete an evaluation and assessment of  
20 all covered facilities where a release, or a threat of a re-  
21 lease, of PFAS subject to a response action under the De-  
22 fense Environmental Restoration Program under section  
23 2701 of title 10, United States Code, to—

24               (1) identify potential early actions that may be  
25       implemented at such facilities to prevent or reme-  
26       diate the release or threatened release of PFAS;

1           (2) identify such facilities at which an under-  
2           ground source of drinking water is, or may be, con-  
3           taminated by a release or a threat of a release of  
4           PFAS; and

5           (3) prioritize facilities for the implementation of  
6           early actions or other actions to prevent or reduce  
7           risks to human health and the environment.

8           (c) PUBLIC PARTICIPATION.—The Secretary shall  
9           make the results of an evaluation and assessment for a  
10          covered facility conducted under subsection (b) available  
11          to communities and individuals affected by a release, or  
12          the threat of a release, of PFAS at the covered facility.

13          (d) REPORT.—For each covered facility for which an  
14          evaluation and assessment is required under subsection  
15          (b), not later than 270 days after the date of the enact-  
16          ment of this Act, the Secretary shall make publicly avail-  
17          able on an appropriate website of the Department—

18                (1) a description of early actions identified by  
19                the evaluation and assessment;

20                (2) a description of interim remedies or other  
21                early actions that have been implemented;

22                (3) a list of facilities at which the migration of  
23                contaminated ground water is not under control or  
24                for which data are insufficient to determine whether

1 contaminated ground water migration is controlled;  
2 and

3 (4) a schedule for the implementation of in-  
4 terim remedies or other early actions.

5 (e) PROVISION OF ALTERNATIVE WATER TO PRO-  
6 TECT PUBLIC HEALTH.—

7 (1) NOTICE; PROVISION OF WATER.—Not later  
8 than 60 days after the discovery of the release, or  
9 the threat of release, of PFAS from a covered facil-  
10 ity into an underground source of drinking water,  
11 the Secretary shall—

12 (A) provide notice pursuant to section  
13 2705 of title 10, United States Code, to the re-  
14 gional offices of the Environmental Protection  
15 Agency and appropriate State, Tribal and local  
16 authorities;

17 (B) identify private and public water wells  
18 with a concentration of a PFAS chemical that  
19 exceeds the maximum contaminant level estab-  
20 lished pursuant to the Safe Drinking Water Act  
21 (42 U.S.C. 300f et seq.); and

22 (C) provide alternative water to households  
23 and communities served by wells identified pur-  
24 suant to paragraph (2)(B)(ii) as expeditiously  
25 as possible, but in no case more than 30 days

1 after the notice is required under paragraph  
2 (1).

3 (2) REQUIREMENTS OF NOTICE.—A notice pro-  
4 vided under this subsection shall—

5 (A) be made available to the public and  
6 provided to communities and households served  
7 by private and public wells identified under  
8 paragraph (1)(B); and

9 (B) include—

10 (i) an identification of any private or  
11 public water well that is affected by a re-  
12 lease, or the threat of a release, of PFAS  
13 from the covered facility;

14 (ii) an identification of any private or  
15 public water well with a concentration of a  
16 PFAS chemical that exceeds the maximum  
17 contaminant level established pursuant to  
18 the Safe Drinking Water Act (42 U.S.C.  
19 300f et seq.); and

20 (iii) a plan and schedule for the provi-  
21 sion of safe alternative water for house-  
22 holds and communities served by water  
23 wells identified under clause (ii).

24 (f) EMERGENCY AUTHORITY.—The Secretary shall  
25 expedite the provision of alternative water to avoid, miti-

1 gate, or eliminate an imminent and substantial  
2 endangerment to the health of persons presented by a re-  
3 lease or threatened release of a pollutant or contaminant  
4 from an on-base source, including the use of emergency  
5 authorities for approval of contracting services and the  
6 commitment of funds.

7 (g) DEFINITIONS.—In this section:

8 (1) The term “covered facility” means—

9 (A) a military installation, as such term is  
10 defined in section 2801(c)(4) of title 10, United  
11 States Code;

12 (B) a formerly used defense site; or

13 (C) a National Guard facility, under the  
14 meaning of such term in section 2700(4) of title  
15 10, United States Code.

16 (2) The term “formerly used defense site”  
17 means any site formerly used by the Department of  
18 Defense or National Guard eligible for environ-  
19 mental restoration by the Secretary of Defense fund-  
20 ed under the “Environmental Restoration Account,  
21 Formerly Used Defense Sites” account established  
22 under section 2703(a)(5) of title 10, United States  
23 Code.

24 (3) The term “underground source of drinking  
25 water” has the meaning given such term in section

- 1 144.3 of title 40, Code of Federal Regulations, or
- 2 any successor regulation.

