

Providing Financial Assistance to States “PFAS” for Testing and Treatment Act

Legislation led by Senator Shaheen to provide \$20 billion over the next decade to help communities combat PFAS chemicals in drinking water and groundwater

BACKGROUND: Per- and polyfluoroalkyl substances (PFAS) are a class of man-made chemicals that have been found to be pervasive in the environment. Developed in the 1940s, PFAS can be found across industries in many products, including food packaging, nonstick pans, clothing, furniture and firefighting foam used by the military and fire departments.

PFAS chemicals are linked with serious health effects including some kinds of cancer, harm to the kidneys and liver, [harm to the developmental and reproductive systems](#) and reduced effectiveness of vaccines. PFAS also builds up in the human body and can stay there for decades. According to the Environmental Working Group (EWG), PFAS has been [detected](#) in the drinking water of 19 million Americans across 49 states. This month, new tests and academic research found [PFAS widespread in rainwater](#), adding to the growing concern that these materials have infiltrated major water supplies in the U.S.

Clear and swift action from Congress to provide additional funds to address PFAS contamination would enable states and tribes to protect human health and the environment in an expeditious manner. Because PFAS may enter the environment, directly and indirectly, in a multitude of ways and from a variety of sources, a comprehensive and far-reaching funding approach to address PFAS contamination is needed to protect human health and the environment. Additionally, this legislation would allow federal funds to be used up-front in the clean-up of contaminated ground water, which is imperative given that recent federal and state-level testing has revealed the widespread presence of PFAS chemicals in drinking water systems throughout the United States.

BILL OVERVIEW: The Providing Financial Assistance to States for Testing and Treatment Act or PFAS Testing and Treatment Act would help states respond to PFAS contamination and the health risks these materials present to the public. This legislation:

- Expands a three-year \$100 million per year provision newly enacted in the 2020 National Defense Authorization Act (NDAA, Public Law 116-92) that authorizes funds to be distributed to states through the Safe Drinking Water Act State Revolving Loan Fund (SDWSRF) specifically for grants for the clean-up of PFAS and other emerging contaminants in drinking water. This legislation would increase the funding available for the program to \$1 billion per year, and extend the program through 2029 – a total of \$10 billion over the next decade. These funds would be provided in addition to funds currently provided under the SDWSRF to address other contaminants. The Environmental Protection Agency (EPA) is directed to weight the distribution of funds authorized in this legislation to States according to the prevalence and remediation costs associated with PFAS. The eligible use of funds is also extended to the testing and treatment of private wells, which supply drinking water for over 43 million Americans.
- Creates a new grant program through the Clean Water Act that provides funding to states to help remediate PFOA and PFOS contamination in groundwater. This section of the bill requires that groundwater contamination be addressed in accordance with [interim guidance issued by EPA in August 2018](#) or an applicable state, tribal or other standard, where those exist. These interim requirements remain in place until the EPA acts to designate those chemicals as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This program would be authorized at \$1 billion per year through 2029 – a total of an additional \$10 billion over the next decade. EPA is directed to weight the distribution of funds to States according to the prevalence and remediation costs associated with PFAS.