

# Congress of the United States

Washington, D.C. 20515

April 27, 2020

The Honorable Peter DeFazio  
Chair  
Transportation and Infrastructure Committee  
2165 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Grace F. Napolitano  
Chair  
Subcommittee on Water Resources and  
Environment  
Transportation and Infrastructure Committee  
2165 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Sam Graves  
Republican Leader  
Transportation and Infrastructure Committee  
2164 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Bruce Westerman  
Ranking Member  
Subcommittee on Water Resources and  
Environment  
Transportation and Infrastructure Committee  
2164 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chair DeFazio, Chair Napolitano, Republican Leader Graves, and Ranking Member Westerman,

As the COVID-19 crisis unfolds across the United States, it is crucial that we continue to focus on addressing our nation's most immediate needs, from supporting response efforts and our health care system to keeping our workers, families, and small businesses safe and secure. The long-term economic dislocation caused by this pandemic will require significant action by Congress, and we believe infrastructure should be a focus of future legislation as we seek to rebuild our country's economy and put people back to work. As you look at addressing water infrastructure as part of any future package, we urge you to include provisions of H.R. 535 to restrict industrial releases of PFAS.

According to independent analysis, hundreds of industrial facilities are likely discharging PFAS directly into waterways or indirectly discharging PFAS to a Publicly Owned Treatment Works (POTW) or wastewater treatment facility through their wastewater. In many communities, industrial discharges of PFAS are the most significant source of PFAS pollution entering drinking water supplies. Because there is no requirement that manufacturers or industrial users of PFAS pretreat their waste before they send PFAS to a POTW, PFAS is also contaminating municipal biosolids applied to farm fields.

In January, the House passed the PFAS Action Act (H.R. 535), which would, among other things, establish deadlines for EPA to determine how to regulate industrial discharges of PFAS under the Clean Water Act (CWA).

Specifically, the CWA provisions in H.R. 535 would:

- Require EPA to establish effluent limitation and pretreatment standards for PFAS for priority industry categories like chemical companies and textile mills within four years;
- Ensure priority industries receive a CWA permit before discharging PFAS;
- Ensure priority industries pretreat their PFAS waste before sending PFAS to a POTW;
- Prohibit indirect discharges of industrial PFAS into POTWs without advance notice;
- Require EPA to review sources of PFAS and use that information to set water quality limits within two years;
- Provide \$500 million in grants to POTWs to implement pretreatment standards for PFAS.

Similar provisions were included in the “Moving Forward” framework released in January. Specifically, the framework called for “establishing a new EPA program to detect, prevent, and treat discharge of PFAS as well as provide funding to local communities dealing with PFAS contamination in drinking water.”

As we emerge from this crisis, we must ensure that communities can focus their resources where they are needed most. These provisions will hold those who discharge PFAS responsible for those discharges and ensure that communities are not left to clean up pollution they did not cause.

Thank you for your consideration of this request.

Sincerely,

  
Chris Pappas  
Member of Congress

/s/

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Ann McLane Kuster  
Member of Congress

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Paul D. Tonko  
Member of Congress

/s/

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Antonio Delgado  
Member of Congress

/s/

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Harley Rouda  
Member of Congress

/s/

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Elissa Slotkin  
Member of Congress

/s/

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Jared Huffman  
Member of Congress

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Jackie Speier  
Member of Congress

/s/

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Brian Fitzpatrick  
Member of Congress

/s/

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Stephen F. Lynch  
Member of Congress

/s/

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André Carson  
Member of Congress

/s/

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Richard E. Neal  
Member of Congress

/s/

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Madeleine Dean  
Member of Congress

/s/

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Henry C. "Hank" Johnson, Jr.  
Member of Congress

/s/

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James P. McGovern  
Member of Congress

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Haley M. Stevens  
Member of Congress

/s/

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Daniel T. Kildee  
Member of Congress

/s/

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Chellie Pingree  
Member of Congress

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Ro Khanna  
Member of Congress

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Katherine M. Clark  
Member of Congress

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Darren Soto  
Member of Congress

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Rashida Tlaib  
Member of Congress

/s/

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Jesús G. “Chuy” García  
Member of Congress

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Brendan F. Boyle  
Member of Congress

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Rick Larsen  
Member of Congress

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Peter Welch  
Member of Congress

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Bennie G. Thompson  
Member of Congress

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Nydia M. Velázquez  
Member of Congress

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Debbie Mucarsel-Powell  
Member of Congress

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Nanette Diaz Barragán  
Member of Congress

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Debbie Dingell  
Member of Congress

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Tom Malinowski  
Member of Congress

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Anthony G. Brown  
Member of Congress

/s/

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Rosa L. DeLauro  
Member of Congress

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Jamie Raskin  
Member of Congress

/s/

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Joseph P. Kennedy, III  
Member of Congress

/s/

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Donald M. Payne, Jr.  
Member of Congress

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Adriano Espaillat  
Member of Congress

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Lori Trahan  
Member of Congress

/s/

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Debbie Wasserman Schultz  
Member of Congress

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Alcee L. Hastings  
Member of Congress

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Jerry McNerney  
Member of Congress

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Katie Porter  
Member of Congress

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Thomas R. Suozzi  
Member of Congress

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Lizzie Fletcher  
Member of Congress

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Mark Pocan  
Member of Congress

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Julia Brownley  
Member of Congress

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Bill Foster  
Member of Congress

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Sean Patrick Maloney  
Member of Congress

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Betty McCollum  
Member of Congress

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Bonnie Watson Coleman  
Member of Congress

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Steve Cohen  
Member of Congress

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Bill Posey  
Member of Congress

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Eleanor Holmes Norton  
Member of Congress

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Brenda L. Lawrence  
Member of Congress

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Jan Schakowsky  
Member of Congress

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Scott Peters  
Member of Congress

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Diana DeGette  
Member of Congress

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Susan Wild  
Member of Congress

/s/

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Joe Neguse  
Member of Congress

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Deb Haaland  
Member of Congress

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Al Green  
Member of Congress

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Earl Blumenauer  
Member of Congress

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Emanuel Cleaver, II  
Member of Congress

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William R. Keating  
Member of Congress

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TJ Cox  
Member of Congress

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Jason Crow  
Member of Congress

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David N. Cicilline  
Member of Congress

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Ben Ray Luján  
Member of Congress

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Albio Sires  
Member of Congress

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Abigail D. Spanberger  
Member of Congress

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John Yarmuth  
Member of Congress

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Cheri Bustos  
Member of Congress

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Barbara Lee  
Member of Congress

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Mikie Sherrill  
Member of Congress

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Gerald E. Connolly  
Member of Congress

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Gregory W. Meeks  
Member of Congress

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Alan Lowenthal  
Member of Congress

/s/

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Gilbert R. Cisneros, Jr.  
Member of Congress

/s/

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Matthew Cartwright  
Member of Congress

/s/

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A. Donald McEachin  
Member of Congress

/s/

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Mike Gallagher  
Member of Congress

/s/

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David Price  
Member of Congress

/s/

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Alma S. Adams, Ph.D  
Member of Congress