

lakes, streams, springs, wells, wetlands, rivers, aquifers, and soil using the performance standard developed under section 8932(a) of this title.

(b) Requirements

In carrying out the sampling under subsection (a), the Director shall—

- (1) first carry out the sampling at sources of drinking water near locations with known or suspected releases of highly fluorinated compounds;
- (2) when carrying out sampling of sources of drinking water under paragraph (1), carry out the sampling prior to and, at the request of the Administrator, after any treatment of the water;
- (3) survey for ecological exposure to highly fluorinated compounds, with a priority in determining direct human exposure through drinking water; and
- (4) consult with—
 - (A) States to determine areas that are a priority for sampling; and
 - (B) the Administrator—
 - (i) to enhance coverage of the sampling; and
 - (ii) to avoid unnecessary duplication.

(c) Report

Not later than 120 days after the completion of the sampling under subsection (a), the Director shall prepare a report describing the results of the sampling and submit the report to—

- (1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate;
- (2) the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives;
- (3) the Senators of each State in which the Director carried out the sampling; and
- (4) each Member of the House of Representatives who represents a district in which the Director carried out the sampling.

(Pub. L. 116–92, div. F, title LXXIII, § 7333, Dec. 20, 2019, 133 Stat. 2282.)

§ 8934. Data usage

(a) In general

The Director shall provide the sampling data collected under section 8933 of this title to—

- (1) the Administrator; and
- (2) other Federal and State regulatory agencies on request.

(b) Usage

The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

(Pub. L. 116–92, div. F, title LXXIII, § 7334, Dec. 20, 2019, 133 Stat. 2283.)

§ 8935. Collaboration

In carrying out this subchapter, the Director shall collaborate with—

- (1) appropriate Federal and State regulators;
- (2) institutions of higher education;
- (3) research institutions; and
- (4) other expert stakeholders.

(Pub. L. 116–92, div. F, title LXXIII, § 7335, Dec. 20, 2019, 133 Stat. 2283.)

SUBCHAPTER IV—EMERGING
CONTAMINANTS

§ 8951. Definitions

In this subchapter:

(1) Contaminant

The term “contaminant” means any physical, chemical, biological, or radiological substance or matter in water.

(2) Contaminant of emerging concern; emerging contaminant

The terms “contaminant of emerging concern” and “emerging contaminant” mean a contaminant—

- (A) for which the Administrator has not promulgated a national primary drinking water regulation; and
- (B) that may have an adverse effect on the health of individuals.

(3) Federal research strategy

The term “Federal research strategy” means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of emerging contaminants in drinking water developed by the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the Senate accompanying S. 1662 of the 115th Congress (S. Rept. 115–139).

(4) Technical assistance and support

The term “technical assistance and support” includes—

- (A) assistance with—
 - (i) identifying appropriate analytical methods for the detection of contaminants;
 - (ii) understanding the strengths and limitations of the analytical methods described in clause (i);
 - (iii) troubleshooting the analytical methods described in clause (i);
- (B) providing advice on laboratory certification program elements;
- (C) interpreting sample analysis results;
- (D) providing training with respect to proper analytical techniques;
- (E) identifying appropriate technology for the treatment of contaminants; and
- (F) analyzing samples, if—
 - (i) the analysis cannot be otherwise¹ obtained in a practicable manner otherwise;¹ and
 - (ii) the capability and capacity to perform the analysis is available at a Federal facility.

(5) Working Group

The term “Working Group” means the Working Group established under section 8952(b)(1) of this title.

(Pub. L. 116–92, div. F, title LXXIII, § 7341, Dec. 20, 2019, 133 Stat. 2283.)

¹ So in original.

REFERENCES IN TEXT

S. 1662 of the 115th Congress, referred to in par. (3), is the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2018, which became div. B of Pub. L. 115-141, Mar. 23, 2018, 132 Stat. 400. For complete classification of this Act to the Code, see Tables.

§ 8952. Research and coordination plan for enhanced response on emerging contaminants

(a) In general

The Administrator shall—

(1) review Federal efforts—

(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and

(B) to assist States in responding to the human health risks posed by contaminants of emerging concern; and

(2) in collaboration with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal efforts referred to in paragraph (1).

(b) Interagency Working Group on emerging contaminants

(1) In general

Not later than 180 days after December 20, 2019, the Administrator and the Secretary of Health and Human Services shall jointly establish a Working Group to coordinate the activities of the Federal Government to identify and analyze the public health effects of drinking water contaminants of emerging concern.

(2) Membership

The Working Group shall include representatives of the following:

(A) The Environmental Protection Agency, appointed by the Administrator.

(B) The following agencies, appointed by the Secretary of Health and Human Services:

(i) The National Institutes of Health.

(ii) The Centers for Disease Control and Prevention.

(iii) The Agency for Toxic Substances and Disease Registry.

(C) The United States Geological Survey, appointed by the Secretary of the Interior.

(D) Any other Federal agency the assistance of which the Administrator determines to be necessary to carry out this subsection, appointed by the head of the respective agency.

(3) Existing working group

The Administrator may expand or modify the duties of an existing working group to perform the duties of the Working Group under this subsection.

(c) National Emerging Contaminant Research Initiative

(1) Federal research strategy

(A) In general

Not later than 180 days after December 20, 2019, the Director of the Office of Science and Technology Policy (referred to in this subsection as the “Director”) shall coordi-

nate with the heads of the agencies described in subparagraph (C) to establish a research initiative, to be known as the “National Emerging Contaminant Research Initiative”, that shall—

(i) use the Federal research strategy to improve the identification, analysis, monitoring, and treatment methods of contaminants of emerging concern; and

(ii) develop any necessary program, policy, or budget to support the implementation of the Federal research strategy, including mechanisms for joint agency review of research proposals, for interagency cofunding of research activities, and for information sharing across agencies.

(B) Research on emerging contaminants

In carrying out subparagraph (A), the Director shall—

(i) take into consideration consensus conclusions from peer-reviewed, pertinent research on emerging contaminants; and

(ii) in consultation with the Administrator, identify priority emerging contaminants for research emphasis.

(C) Federal participation

The agencies referred to in subparagraph (A) include—

(i) the National Science Foundation;

(ii) the National Institutes of Health;

(iii) the Environmental Protection Agency;

(iv) the National Institute of Standards and Technology;

(v) the United States Geological Survey; and

(vi) any other Federal agency that contributes to research in water quality, environmental exposures, and public health, as determined by the Director.

(D) Participation from additional entities

In carrying out subparagraph (A), the Director shall consult with nongovernmental organizations, State and local governments, and science and research institutions determined by the Director to have scientific or material interest in the National Emerging Contaminant Research Initiative.

(2) Implementation of research recommendations

(A) In general

Not later than 1 year after the date on which the Director and heads of the agencies described in paragraph (1)(C) establish the National Emerging Contaminant Research Initiative under paragraph (1)(A), the head of each agency described in paragraph (1)(C) shall—

(i) issue a solicitation for research proposals consistent with the Federal research strategy and that agency’s mission; and

(ii) make grants to applicants that submit research proposals consistent with the Federal research strategy and in accordance with subparagraph (B).

(B) Selection of research proposals

The head of each agency described in paragraph (1)(C) shall select research proposals