

116TH CONGRESS
1ST SESSION

H. R. 2591

To prohibit the waste incineration of per- and polyfluoroalkyl substances,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. KHANNA (for himself, Mrs. DINGELL, and Mr. KILDEE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the waste incineration of per- and polyfluoroalkyl
substances, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “PFAS Waste Inciner-
5 ation Ban Act of 2019”.

6 **SEC. 2. PROHIBITION ON WASTE INCINERATION OF PFAS.**

7 Section 3004 of the Solid Waste Disposal Act (42
8 U.S.C. 6924) is amended by adding at the end the fol-
9 lowing new subsection:

10 “(z) PFAS WASTES.—

1 “(1) FIREFIGHTING FOAM.—Not later than 6
2 months after the date of enactment of this sub-
3 section, the Administrator shall promulgate regula-
4 tions prohibiting the disposal by incineration of fire-
5 fighting foam containing PFAS, which prohibition
6 shall take effect not later than 9 months after the
7 date of enactment of this subsection.

8 “(2) OTHER PFAS WASTES.—

9 “(A) IDENTIFICATION AND PROHIBI-
10 TION.—Not later than 12 months after the date
11 of enactment of this subsection, the Adminis-
12 trator shall promulgate regulations—

13 “(i) identifying additional wastes con-
14 taining PFAS for which a prohibition on
15 incineration may be necessary to protect
16 human health and the environment; and

17 “(ii) prohibiting the disposal by incin-
18 eration of such identified wastes beginning
19 not later than 18 months after the date of
20 enactment of this subsection.

21 “(B) REVIEW AND REVISION.—The Ad-
22 ministrator shall review and revise the list of
23 wastes identified under this paragraph as need-
24 ed, but not less frequently than every 4 years.

1 “(3) PENALTIES.—For purposes of section
2 3008(d), a waste subject to a prohibition under this
3 subsection shall be considered a hazardous waste
4 identified or listed under this subtitle.

5 “(4) DEFINITION.—In this subsection, the term
6 ‘PFAS’ means a perfluoroalkyl or polyfluoroalkyl
7 substance with at least 1 fully fluorinated carbon
8 atom.”.

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