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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. KHANNA introduced the following bill; which was referred to the
Committee on _____

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:

1 “(z) PFAS WASTES.—

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

9 “(2) OTHER PFAS WASTES.—

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

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

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

22 “(B) REVIEW AND REVISION.—The Ad-
23 ministrator shall review and revise the list of
24 wastes identified under this paragraph as need-
25 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.”.