

**AMENDMENT TO RULES COMMITTEE PRINT 116-**  
**19**  
**OFFERED BY MR. DELGADO OF NEW YORK**

At the end of subtitle B of title III, insert the following:

1 **SEC. 3\_\_\_. INCLUSION OF PER- AND POLYFLUOROALKYL**  
2 **SUBSTANCES ON THE TOXICS RELEASE IN-**  
3 **VENTORY.**

4 Section 313 of the Emergency Planning and Commu-  
5 nity Right-To-Know Act of 1986 (42 U.S.C. 11023) is  
6 amended—

7 (1) in subsection (b)(1)—

8 (A) by redesignating subparagraph (C) as  
9 subparagraph (D); and

10 (B) by inserting after subparagraph (B)  
11 the following:

12 “(C) Notwithstanding subparagraph (A), the  
13 requirements of this section shall apply to all owners  
14 and operators of facilities that—

15 “(i) are in—

16 “(I) Standard Industrial Classification  
17 Codes (as in effect on the date of enact-

1                   ment of this subparagraph) 20 through 39,  
2                   45, 99, or 4213; or

3                   “(II) North American Industry Classi-  
4                   fication System Codes (as in effect on the  
5                   date of enactment of this subparagraph)  
6                   484230 or 484121; and

7                   “(ii) manufactured, processed, or otherwise  
8                   used per- and polyfluoroalkyl substances listed  
9                   under subsection (c) in excess of the quantity  
10                  established under subsection (f)(1)(C) during  
11                  the calendar year for which a release form is re-  
12                  quired under this section.”;

13                  (2) in subsection (d), by adding at the end the  
14                  following new paragraph:

15                  “(5) PER- AND POLYFLUOROALKYL SUB-  
16                  STANCES.—

17                  “(A) ADDITION OF SUBSTANCES.—Not  
18                  later than 30 days after the date of enactment  
19                  of this paragraph, the Administrator shall add  
20                  to the list described in subsection (c) all per-  
21                  and polyfluoroalkyl substances on the list pub-  
22                  lished under section 8(b) of the Toxic Sub-  
23                  stances Control Act.

24                  “(B) INAPPLICABILITY OF CERTAIN PROVI-  
25                  SIONS.—The requirements of paragraph (1)

1 and (2) shall not apply with respect to an addi-  
2 tion to the list described in subsection (c) that  
3 is carried out under subparagraph (A) of this  
4 paragraph.

5 “(C) NO DELETIONS.—Notwithstanding  
6 paragraph (1) or paragraph (3) of this sub-  
7 section or subsection (e), the Administrator  
8 may not delete a substance described subpara-  
9 graph (A) of this paragraph from the list de-  
10 scribed in subsection (c).”; and

11 (3) in subsection (f)(1)—

12 (A) in subparagraph (A), by inserting  
13 “(other than a toxic chemical described in sub-  
14 paragraph (C))” after “to a toxic chemical”;

15 (B) in subparagraph (B), in the matter  
16 preceding clause (i), by inserting “(other than  
17 a toxic chemical described in subparagraph  
18 (C))” after “to a toxic chemical”; and

19 (C) by adding at the end the following:

20 “(C) With respect to per- or polyfluoroal-  
21 kyl substances manufactured, processed, or  
22 used at a facility, a total of 1,000 pounds of  
23 per- or polyfluoroalkyl substances per year.”.

