AMENDMENT TO RULES COMMITTEE PRINT 116–19

OFFERED BY MR. KHANNA OF CALIFORNIA

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

SEC. 3. PROHIBITION ON WASTE INCINERATION OF PFAS.

Section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) is amended by adding at the end the following new subsection:

“(z) PFAS WASTES.—

“(1) FIREFIGHTING FOAM.—Not later than 6 months after the date of enactment of this subsection, the Administrator shall promulgate regulations prohibiting the disposal by incineration of firefighting foam containing PFAS, which prohibition shall take effect not later than 9 months after the date of enactment of this subsection.

“(2) OTHER PFAS WASTES.—

“(A) IDENTIFICATION AND PROHIBITION.—Not later than 12 months after the date of enactment of this subsection, the Administrator shall promulgate regulations—
“(i) identifying additional wastes containing PFAS for which a prohibition on incineration may be necessary to protect human health and the environment; and

“(ii) prohibiting the disposal by incineration of such identified wastes beginning not later than 18 months after the date of enactment of this subsection.

“(B) REVIEW AND REVISION.—The Administrator shall review and revise the list of wastes identified under this paragraph as needed, but not less frequently than every 4 years.

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

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