

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:

1 **SEC. 3___. PROHIBITION ON WASTE INCINERATION OF**
2 **PFAS.**

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

6 “(z) PFAS WASTES.—

7 “(1) FIREFIGHTING FOAM.—Not later than 6
8 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.

14 “(2) OTHER PFAS WASTES.—

15 “(A) IDENTIFICATION AND PROHIBITION.—Not later than 12 months after the date of enactment of this subsection, the Administrator shall promulgate regulations—

1 “(i) identifying additional wastes con-
2 taining PFAS for which a prohibition on
3 incineration may be necessary to protect
4 human health and the environment; and

5 “(ii) prohibiting the disposal by incin-
6 eration of such identified wastes beginning
7 not later than 18 months after the date of
8 enactment of this subsection.

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

13 “(3) PENALTIES.—For purposes of section
14 3008(d), a waste subject to a prohibition under this
15 subsection shall be considered a hazardous waste
16 identified or listed under this subtitle.

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

