

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**57**

**OFFERED BY MR. LEVIN OF MICHIGAN**

At the end of subtitle B of title III:

1 **SEC. 3 \_\_\_\_ . MORATORIUM ON INCINERATION BY DEPART-**  
2 **MENT OF DEFENSE OF PERFLUOROALKYL**  
3 **SUBSTANCES, POLYFLUOROALKYL SUB-**  
4 **STANCES, AND AQUEOUS FILM FORMING**  
5 **FOAM.**

6 (a) IN GENERAL.—Beginning on the date of the en-  
7 actment of this Act, the Secretary of Defense shall pro-  
8 hibit the incineration of materials containing per- and  
9 polyfluoroalkyl substances or aqueous film forming foam  
10 until regulations have been prescribed by the Secretary  
11 that—

12 (1) implement the requirements of section 330  
13 of the National Defense Authorization Act for Fiscal  
14 Year 2020 (Public Law 116–92); and

15 (2) take into consideration the interim guidance  
16 published by the Administrator of the Environ-  
17 mental Protection Agency under section 7361 of the  
18 National Defense Authorization Act for Fiscal Year  
19 2020 (Public Law 116–92).

1 (b) REPORT.—Not later than one year after the pub-  
2 lication of the final regulations described in subsection (a),  
3 and annually thereafter, the Secretary shall submit to the  
4 Administrator of the Environmental Protection Agency a  
5 report on all incineration by the Department of Defense  
6 of materials containing perfluoroalkyl substances,  
7 polyfluoroalkyl substances, or aqueous film forming foam  
8 during the year covered by the report, including—

9 (1) the total amount of such materials inciner-  
10 ated;

11 (2) the temperature range at which such mate-  
12 rials were incinerated; and

13 (3) the locations and facilities where such mate-  
14 rials were incinerated.

