116TH CONGRESS
1ST SESSION

H. R. 2591

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

IN THE HOUSE OF REPRESENTATIVES
May 8, 2019

M__. _____ 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "PFAS Waste Incineration Ban Act of 2019".

SEC. 2. 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:

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.

"(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 perfuoroalkyl or polyfluoroalkyl substance with at least 1 fully fluorinated carbon atom.".