

116TH CONGRESS  
1ST SESSION

# H. R. 2591

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. KHANNA (for himself, Mrs. DINGELL, and Mr. KILDEE) introduced the  
following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “PFAS Waste Inciner-  
5       ation Ban Act of 2019”.

6       **SEC. 2. PROHIBITION ON WASTE INCINERATION OF PFAS.**

7       Section 3004 of the Solid Waste Disposal Act (42  
8       U.S.C. 6924) is amended by adding at the end the fol-  
9       lowing new subsection:

10       “(z) PFAS WASTES.—

1           “(1) FIREFIGHTING FOAM.—Not later than 6  
2           months after the date of enactment of this sub-  
3           section, the Administrator shall promulgate regula-  
4           tions prohibiting the disposal by incineration of fire-  
5           fighting foam containing PFAS, which prohibition  
6           shall take effect not later than 9 months after the  
7           date of enactment of this subsection.

8           “(2) OTHER PFAS WASTES.—

9                   “(A) IDENTIFICATION AND PROHIBI-  
10           TION.—Not later than 12 months after the date  
11           of enactment of this subsection, the Adminis-  
12           trator shall promulgate regulations—

13                           “(i) identifying additional wastes con-  
14                           taining PFAS for which a prohibition on  
15                           incineration may be necessary to protect  
16                           human health and the environment; and

17                           “(ii) prohibiting the disposal by incin-  
18                           eration of such identified wastes beginning  
19                           not later than 18 months after the date of  
20                           enactment of this subsection.

21                   “(B) REVIEW AND REVISION.—The Ad-  
22           ministrators shall review and revise the list of  
23           wastes identified under this paragraph as need-  
24           ed, but not less frequently than every 4 years.

1           “(3) PENALTIES.—For purposes of section  
2           3008(d), a waste subject to a prohibition under this  
3           subsection shall be considered a hazardous waste  
4           identified or listed under this subtitle.

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

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