

116TH CONGRESS
1ST SESSION

H. R. 2577

To amend the Emergency Planning and Community Right-To-Know Act of 1986 to include per- and polyfluoroalkyl substances on the Toxics Release Inventory, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. DELGADO (for himself, Mr. GALLAGHER, Mr. KILDEE, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Emergency Planning and Community Right-To-Know Act of 1986 to include per- and polyfluoroalkyl substances on the Toxics Release Inventory, 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 Right-To-Know
5 Act”.

1 **SEC. 2. INCLUSION OF PER- AND POLYFLUOROALKYL SUB-**
2 **STANCES ON THE TOXICS RELEASE INVEN-**
3 **TORY.**

4 Section 313 of the Emergency Planning and Commu-
5 nity Right-To-Know Act of 1986 (42 U.S.C. 11023) is
6 amended—

7 (1) in subsection (b)(1)—

8 (A) by redesignating subparagraph (C) as
9 subparagraph (D); and

10 (B) by inserting after subparagraph (B)
11 the following:

12 “(C) Notwithstanding subparagraph (A), the
13 requirements of this section shall apply to all owners
14 and operators of facilities that—

15 “(i) are in—

16 “(I) Standard Industrial Classification
17 Codes (as in effect on the date of enact-
18 ment of this subparagraph) 20 through 39,
19 45, 99, or 4213; or

20 “(II) North American Industry Classi-
21 fication System Codes (as in effect on the
22 date of enactment of this subparagraph)
23 484230 or 484121; and

24 “(ii) manufactured, processed, or otherwise
25 used per- and polyfluoroalkyl substances listed
26 under subsection (c) in excess of the quantity

1 established under subsection (f)(1)(C) during
2 the calendar year for which a release form is re-
3 quired under this section.”;

4 (2) in subsection (d), by adding at the end the
5 following new paragraph:

6 “(5) PER- AND POLYFLUOROALKYL SUB-
7 STANCES.—

8 “(A) ADDITION OF SUBSTANCES.—Not
9 later than 30 days after the date of enactment
10 of this paragraph, the Administrator shall add
11 to the list described in subsection (c) all per-
12 and polyfluoroalkyl substances on the list pub-
13 lished under section 8(b) of the Toxic Sub-
14 stances Control Act.

15 “(B) INAPPLICABILITY OF CERTAIN PROVI-
16 SIONS.—The requirements of paragraph (1)
17 and (2) shall not apply with respect to an addi-
18 tion to the list described in subsection (c) that
19 is carried out under subparagraph (A) of this
20 paragraph.

21 “(C) NO DELETIONS.—Notwithstanding
22 paragraph (1) or paragraph (3) of this sub-
23 section or subsection (e), the Administrator
24 may not delete a substance described subpara-

1 graph (A) of this paragraph from the list de-
2 scribed in subsection (c).”; and

3 (3) in subsection (f)(1)—

4 (A) in subparagraph (A), by inserting
5 “(other than a toxic chemical described in sub-
6 paragraph (C))” after “to a toxic chemical”;

7 (B) in subparagraph (B), in the matter
8 preceding clause (i), by inserting “(other than
9 a toxic chemical described in subparagraph
10 (C))” after “to a toxic chemical”; and

11 (C) by adding at the end the following:

12 “(C) With respect to per- or polyfluoroal-
13 kyl substances manufactured, processed, or
14 used at a facility, a total of 1,000 pounds of
15 per- or polyfluoroalkyl substances per year.”.

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