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.

SECTION 1. SHORT TITLE.

This Act may be cited as the “PFAS Right-To-Know Act”.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SEC. 2. INCLUSION OF PER- AND POLYFLUOROALKYL SUB-
STANCES ON THE TOXICS RELEASE INVEN-
TORY.

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

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (C) as

subparagraph (D); and

(B) by inserting after subparagraph (B)

the following:

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

“(i) are in—

““(I) Standard Industrial Classification

Codes (as in effect on the date of enact-
ment of this subparagraph) 20 through 39,
45, 99, or 4213; or

“(II) North American Industry Classi-

fication System Codes (as in effect on the
date of enactment of this subparagraph)
484230 or 484121; and

“(ii) manufactured, processed, or otherwise

used per- and polyfluoroalkyl substances listed
under subsection (e) in excess of the quantity
established under subsection (f)(1)(C) during
the calendar year for which a release form is re-
quired under this section.”;
(2) in subsection (d), by adding at the end the
following new paragraph:
“(5) Per- and polyfluoroalkyl sub-
stances.—
“(A) Addition of substances.—Not
later than 30 days after the date of enactment
of this paragraph, the Administrator shall add
to the list described in subsection (c) all per-
and polyfluoroalkyl substances on the list pub-
lished under section 8(b) of the Toxic Sub-
stances Control Act.
“(B) Inapplicability of certain provi-
sions.—The requirements of paragraph (1)
and (2) shall not apply with respect to an addi-
tion to the list described in subsection (c) that
is carried out under subparagraph (A) of this
paragraph.
“(C) No deletions.—Notwithstanding
paragraph (1) or paragraph (3) of this sub-
section or subsection (e), the Administrator
may not delete a substance described subpara-
graph (A) of this paragraph from the list described in subsection (e).’’; and

(3) in subsection (f)(1)—

(A) in subparagraph (A), by inserting “(other than a toxic chemical described in subparagraph (C))” after “to a toxic chemical”;

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

(C) by adding at the end the following:

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