## H. R. 4087

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to include certain landlocked releases of petroleum, and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

July 26, 2019

Mr. Blumenauer (for himself, Ms. Sewell of Alabama, Mr. Connolly, and Mr. Grijalva) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

## A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to include certain landlocked releases of petroleum, 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 "CERCLA Liability Ex-
- 5 pansion and Accountability for Negligent and Unjust Pol-
- 6 lution Act" or the "CLEANUP Act".

## SEC. 2. COVERAGE OF LANDLOCKED RELEASES OF PETRO-

- 2 LEUM.
- 3 (a) Hazardous Substances Defined.—Section
- 4 101(14) of the Comprehensive Environmental Response,
- 5 Compensation, and Liability Act of 1980 (42 U.S.C.
- 6 9601(14)) is amended—
- 7 (1) by striking "and (F)" and inserting "(F)";
- 8 (2) by inserting ", and (G) petroleum products"
- 9 after "Toxic Substances Control Act"; and
- 10 (3) by striking "petroleum, including crude oil
- or any fraction thereof which is not otherwise spe-
- 12 cifically listed or designated as a hazardous sub-
- stance under subparagraphs (A) through (F) of this
- paragraph, and the term does not include".
- 15 (b) Release Defined.—Section 101(22) of the
- 16 Comprehensive Environmental Response, Compensation,
- 17 and Liability Act of 1980 (42 U.S.C. 9601(22)) is amend-
- 18 ed by striking "and (D) the normal application of fer-
- 19 tilizer" and inserting "(D) the normal application of fer-
- 20 tilizer, and (E) the release of a petroleum product if liabil-
- 21 ity for such release is established by any other Federal
- 22 law".
- 23 (c) Definition of Petroleum Product.—Section
- 24 101 of the Comprehensive Environmental Response, Com-
- 25 pensation, and Liability Act of 1980 (42 U.S.C. 9601) is
- 26 amended by adding at the end the following:

"(42) Petroleum product.—The term 'pe-1 2 troleum product' means petroleum or oil of any kind, 3 in any form, or any fraction thereof, including fuel oil, sludge, oil refuse, and oil mixed with wastes 4 5 other than dredged spoil.". 6 (d) Conforming AMENDMENT.—Section 7 101(39)(D)(ii)(II)(aa) of the Comprehensive Environmental Response, Compensation, and Liability Act of 8 1980 (42 U.S.C. 9601(39)(D)(ii)(II)(aa)) is amended by striking "excluded from the definition of hazardous sub-10 stance' under section 101".

 $\bigcirc$