

116TH CONGRESS
1ST SESSION

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”.

1 **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
11 or any fraction thereof which is not otherwise spe-
12 cifically listed or designated as a hazardous sub-
13 stance under subparagraphs (A) through (F) of this
14 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:

1 “(42) PETROLEUM PRODUCT.—The term ‘pe-
2 troleum product’ means petroleum or oil of any kind,
3 in any form, or any fraction thereof, including fuel
4 oil, sludge, oil refuse, and oil mixed with wastes
5 other than dredged spoil.”.

6 (d) CONFORMING AMENDMENT.—Section
7 101(39)(D)(ii)(II)(aa) of the Comprehensive Environ-
8 mental Response, Compensation, and Liability Act of
9 1980 (42 U.S.C. 9601(39)(D)(ii)(II)(aa)) is amended by
10 striking “excluded from the definition of ‘hazardous sub-
11 stance’ under section 101”.

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