

118TH CONGRESS
2D SESSION

H. R. 10441

To amend the Toxic Substances Control Act to prohibit the use of hydrogen fluoride (hydrofluoric acid) at petroleum refineries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2024

Ms. WATERS (for herself, Mr. LIEU, Ms. BARRAGÁN, Mr. COHEN, Mrs. RAMIREZ, Mr. ROBERT GARCIA of California, Ms. NORTON, Ms. TLAIB, Ms. KAMLAGER-DOVE, Ms. SCANLON, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Toxic Substances Control Act to prohibit the use of hydrogen fluoride (hydrofluoric acid) at petroleum refineries, 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 “Preventing Mass Cas-
5 ualties from Release of Hydrofluoric Acid at Refineries
6 Act of 2024”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Hydrogen fluoride (hydrofluoric acid) is an
2 exceptionally hazardous chemical, which is used in
3 large quantities in approximately 40 petroleum refin-
4 eries in the United States to refine petroleum in
5 order to produce high octane gasoline.

6 (2) Petroleum refineries are vulnerable to acci-
7 dents, natural disasters, and intentional subversive
8 acts, which could result in the release of a large
9 quantity of hydrogen fluoride (hydrofluoric acid).

10 (3) The release of a sufficient quantity of hy-
11 drogen fluoride (hydrofluoric acid) from a petroleum
12 refinery has in the past, and could in the future,
13 cause immediate injuries or deaths to refinery work-
14 ers who are exposed.

15 (4) The release of a sufficient quantity of hy-
16 drogen fluoride (hydrofluoric acid) from a petroleum
17 refinery could cause a mass casualty event in the
18 surrounding community, resulting in immediate
19 deaths or permanent injuries to thousands of people
20 living, working, or traveling within a radius of up to
21 25 miles.

22 (5) More than 14 million people are at risk of
23 death or permanent injuries as a result of living in
24 communities surrounding petroleum refineries that
25 use hydrogen fluoride (hydrofluoric acid), and many

1 of these at-risk communities are disproportionately
2 impacted by environmental burdens.

3 (6) Alternative technologies are available that
4 would enable petroleum refineries to convert from
5 the use of hydrogen fluoride (hydrofluoric acid) to a
6 vastly safer, commercially proven alternative method
7 for refining petroleum to produce high octane gaso-
8 line, and these alternative technologies are already
9 used in the majority of refineries in the United
10 States.

11 (7) New petroleum refineries should not be al-
12 lowed to use hydrogen fluoride (hydrofluoric acid) to
13 refine petroleum, and petroleum refineries that cur-
14 rently use hydrogen fluoride (hydrofluoric acid)
15 should be required to convert to a safer alternative.

16 **SEC. 3. PROHIBITION ON USE OF HYDROFLUORIC ACID AT**
17 **PETROLEUM REFINERIES.**

18 Section 6 of the Toxic Substances Control Act (15
19 U.S.C. 2605) is amended—

20 (1) by redesignating subsection (j) as sub-
21 section (k); and

22 (2) by inserting after subsection (i) the fol-
23 lowing:

24 “(j) PROHIBITION ON USE OF HYDROFLUORIC ACID
25 AT PETROLEUM REFINERIES.—

1 “(1) NEW REFINERIES.—No person may use
2 hydrogen fluoride (hydrofluoric acid) to refine petro-
3 leum at a petroleum refinery that begins operating
4 on or after the date of enactment of this subsection.

5 “(2) EXISTING REFINERIES.—

6 “(A) PROHIBITION.—Beginning on the
7 date that is 5 years after the date of enactment
8 of this subsection, no person may use hydrogen
9 fluoride (hydrofluoric acid) to refine petroleum
10 at a petroleum refinery that began operating
11 before the date of enactment of this subsection.

12 “(B) CIVIL PENALTY.—Notwithstanding
13 the first sentence of section 16(a)(1), the
14 amount of a civil penalty under such first sen-
15 tence for violating a provision of section 15 with
16 respect to a requirement of this paragraph shall
17 be \$37,500 for each such violation.

18 “(3) APPLICATION OF WAIVER AUTHORITY.—
19 Notwithstanding section 22, the Administrator may
20 not issue a waiver under such section with respect
21 to the prohibition on the use of hydrogen fluoride
22 (hydrofluoric acid) at a petroleum refinery under
23 this subsection.”.

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