

106TH CONGRESS
1ST SESSION

H. R. 3093

To amend the Solid Waste Disposal Act to prevent the release of hazardous waste due to flooding, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 1999

Mr. FRANKS of New Jersey introduced the following bill; which was referred to the Committee on 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 Solid Waste Disposal Act to prevent the release of hazardous waste due to flooding, 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. TREATMENT, STORAGE AND DISPOSAL OF HAZ-**
4 **ARDOUS WASTE IN FLOOD PLAINS.**

5 Section 3004(a) of the Solid Waste Disposal Act (42
6 U.S.C. 6924(a)) is amended by adding the following at
7 the end thereof: “The standards under paragraph (4) shall
8 prohibit the issuance of a permit under section 3005 after

1 the enactment of this sentence for any hazardous waste
2 treatment, storage, or disposal facility to be located in a
3 flood plain if such facility is a major facility (as deter-
4 mined by the Environmental Protection Agency).”.

5 **SEC. 2. STUDY OF 100-YEAR FLOOD RULE.**

6 The Administrator of the Environmental Protection
7 Agency shall conduct a study of the 100-year flood criteria
8 contained in regulations under subtitle C of the Solid
9 Waste Disposal Act (42 U.S.C. 6921 and following) re-
10 garding the location of hazardous waste treatment, stor-
11 age, and disposal facilities. Such study shall investigate
12 whether such criteria is adequate to protect human health
13 and the environment from the release of hazardous waste
14 due to flooding at such facilities. The Administrator shall
15 submit a report to Congress containing the results of such
16 study and investigation.

17 **SEC. 3. LABELLING OF HAZARDOUS WASTE CONTAINERS.**

18 Section 3002(a)(2) of the Solid Waste Disposal Act
19 (42 U.S.C. 6922) is amended by adding the following at
20 the end thereof: “and insure that the information labels
21 will remain in place and visible during transportation and
22 storage in the event of flood or other natural disaster”.

1 **SEC. 4. NOTIFICATION OF HAZARDOUS SUBSTANCES**
2 **PRESENT IN FLOOD PLAIN AREAS.**

3 Section 312(d)(1)(B)(iii) of the Superfund Amend-
4 ments and Reauthorization Act of 1986 (42 U.S.C.
5 11022(d)(1)(B)(iii)) is amended by adding the following
6 at the end thereof: “Such location information shall in-
7 clude a statement of whether or not the hazardous chemi-
8 cals are located in a flood plain area, as defined by the
9 Administrator in rules promulgated by the Administrator
10 for purposes of section 3004(a)(4) of the Solid Waste Dis-
11 posal Act.”.

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