

109TH CONGRESS
2^D SESSION

H. R. 5863

To authorize temporary emergency extensions to certain exemptions to the requirements with respect to polychlorinated biphenyls under the Toxic Substances Control Act.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2006

Mr. BARTON of Texas (for himself and Mr. DINGELL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To authorize temporary emergency extensions to certain exemptions to the requirements with respect to polychlorinated biphenyls under the Toxic Substances Control Act.

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. EXTENSION OF EMERGENCY EXEMPTION AU-**
4 **THORITY FROM CERTAIN REQUIREMENTS.**

5 (a) AMENDMENT TO TOXIC SUBSTANCES CONTROL
6 ACT.—Section 6(e)(3) of the Toxic Substances Control
7 Act (15 U.S.C. 2605(e)(3)) is amended—

1 (1) in subparagraph (A), by striking “subpara-
2 graphs (B) and (C)” and inserting “subparagraphs
3 (B), (C), and (D)”;

4 (2) in subparagraph (B), by striking “but not
5 more than 1 year from the date it is granted” and
6 inserting “but not more than 1 year from the date
7 it is granted, except as provided in subparagraph
8 (D)”;

9 (3) by adding at the end the following new sub-
10 paragraph:

11 “(D) The Administrator may extend, if notified of an
12 emergency situation, an exemption granted pursuant to
13 subparagraph (B) for a period of not more than 30 days
14 for the purpose of authorizing the safe, effective, and effi-
15 cient shipment into the customs territory of the United
16 States of polychlorinated biphenyls for purposes of their
17 disposal, treatment, or storage in the customs territory of
18 the United States.”.

19 (b) SUNSET DATE.—The amendments made by sub-
20 section (a) shall cease to have effect on September 30,
21 2012. The termination of the authority to grant exemp-
22 tions pursuant to such amendments shall not affect the
23 validity of any exemption granted prior to such date.

24 (c) REPORT.—Not later than March 1, 2011, any
25 person or entity, as of the date of enactment of this sec-

1 tion, who has been granted an exemption pursuant to sec-
2 tion 6(e)(3)(B) of the Toxic Substances Control Act shall
3 submit to the Committee on Environment and Public
4 Works of the Senate and the Committee on Energy and
5 Commerce of the House of Representatives a report on
6 the status of foreign-manufactured polychlorinated
7 biphenyls generated by or under the control of that person
8 or entity outside of the United States. The report shall
9 address, at a minimum—

10 (1) the remaining volume of such foreign-manu-
11 factured polychlorinated biphenyls that may require
12 shipment into the customs territory of the United
13 States for disposal, treatment, or storage; and

14 (2) the efforts that have been made by that per-
15 son or entity or related Federal entities to reduce
16 such volume by—

17 (A) reducing the volume of foreign-manu-
18 factured polychlorinated biphenyls generated by
19 or under the control of that person or entity
20 outside the United States; or

21 (B) developing alternative options for the
22 disposal, treatment, or storage of such poly-
23 chlorinated biphenyls.

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