

## Union Calendar No. 392

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5863

[Report No. 109-659]

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

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### 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

SEPTEMBER 14, 2006

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## 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,*

1 **SECTION 1. EXTENSION OF EMERGENCY EXEMPTION AU-**  
2 **THORITY FROM CERTAIN REQUIREMENTS.**

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

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

9 (2) in subparagraph (B), by striking “but not  
10 more than 1 year from the date it is granted” and  
11 inserting “but not more than 1 year from the date  
12 it is granted, except as provided in subparagraph  
13 (D)”;

14 (3) by adding at the end the following new sub-  
15 paragraph:

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

24 (b) SUNSET DATE.—The amendments made by sub-  
25 section (a) shall cease to have effect on September 30,  
26 2012. The termination of the authority to grant exemp-

1 tions pursuant to such amendments shall not affect the  
2 validity of any exemption granted prior to such date.

3 (c) REPORT.—Not later than March 1, 2011, any  
4 person or entity, as of the date of enactment of this sec-  
5 tion, who has been granted an exemption pursuant to sec-  
6 tion 6(e)(3)(B) of the Toxic Substances Control Act shall  
7 submit to the Committee on Environment and Public  
8 Works of the Senate and the Committee on Energy and  
9 Commerce of the House of Representatives a report on  
10 the status of foreign-manufactured polychlorinated  
11 biphenyls generated by or under the control of that person  
12 or entity outside of the United States. The report shall  
13 address, at a minimum—

14 (1) the remaining volume of such foreign-manu-  
15 factured polychlorinated biphenyls that may require  
16 shipment into the customs territory of the United  
17 States for disposal, treatment, or storage; and

18 (2) the efforts that have been made by that per-  
19 son or entity or related Federal entities to reduce  
20 such volume by—

21 (A) reducing the volume of foreign-manu-  
22 factured polychlorinated biphenyls generated by  
23 or under the control of that person or entity  
24 outside the United States; or

- 1 (B) developing alternative options for the
- 2 disposal, treatment, or storage of such poly-
- 3 chlorinated biphenyls.



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