

103^D CONGRESS
1ST SESSION

H. R. 105

Relating to the treatment and disposal of solid waste, authorizing States to regulate solid waste in interstate commerce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. APPLGATE introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

Relating to the treatment and disposal of solid waste, authorizing States to regulate solid waste in interstate commerce, 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. SOLID WASTE TREATMENT AND DISPOSAL.**

4 (a) PROHIBITION.—It is unlawful for any person to
5 ship or transport or cause to be shipped or transported
6 any solid waste generated within a State into another
7 State for its treatment or disposal therein, if such ship-
8 ment or transportation into a State is in violation of the
9 laws of that State.

1 (b) AUTHORIZATION.—Each State is authorized to
2 enact and enforce laws regulating the treatment and dis-
3 position of solid waste within such State, including (1)
4 laws imposing a ban on the importing into such State or
5 any part thereof, of solid waste for its treatment or other
6 disposition, (2) laws otherwise regulating the importing
7 into such State of solid waste for its treatment or other
8 disposition, and (3) laws imposing and collecting fees or
9 other charges in connection with the treatment and dis-
10 position within such State of solid waste generated in an-
11 other State.

12 (c) ENFORCEMENT.—Any person violating subsection
13 (a) of this section shall, for the first such violation, be
14 fined not more than \$35,000, and for a second or subse-
15 quent violation, such person shall be fined not more than
16 \$70,000, or imprisoned for not more than 10 years, or
17 both.

18 (d) EFFECTIVE DATE.—This section shall take effect
19 upon the expiration of the 12-month period following the
20 date of the enactment of this Act.

21 **SEC. 2. REPORTING.**

22 (a) REQUIREMENT.—Within the 90-day period fol-
23 lowing the date of the enactment of this Act, the Adminis-
24 trator of the Environmental Protection Agency, by regula-
25 tion, shall establish a program pursuant to which each

1 person who transports or ships or causes to be transported
2 or shipped in interstate commerce any solid waste in ex-
3 cess of 100 pounds shall be required to prepare and sub-
4 mit to the Administrator, on an annual basis, a registra-
5 tion statement. Such statement shall include such person's
6 name, principal place of business, the location of each ac-
7 tivity handling solid waste, and a complete list of all solid
8 waste transported or shipped in interstate commerce dur-
9 ing the calendar year preceding such statement.

10 (b) PUBLIC AVAILABILITY.—The Administrator shall
11 make such registration statements available, upon request,
12 to the public.

13 **SEC. 3. DEFINITIONS.**

14 As used in this Act:

15 (1) The term “person” includes any State or
16 political subdivision of a State or any individual, cor-
17 poration, or other legal entity.

18 (2) The term “solid waste” has the meaning
19 given such term by section 1004(27) of the Solid
20 Waste Disposal Act (42 U.S.C. 6903(27)).

21 (3) The term “interstate commerce” has the
22 meaning given such term by section 10 of title 18,
23 United States Code.

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