

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1740

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to prohibit the use of solid waste as fuel for any incinerator being used for the destruction of polychlorinated biphenyls or other hazardous substances and to require the Environmental Protection Agency to review and research methods of disposal and storage of polychlorinated biphenyls.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1993

Mr. McCLOSKEY introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Science, Space, and Technology

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## A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to prohibit the use of solid waste as fuel for any incinerator being used for the destruction of polychlorinated biphenyls or other hazardous substances and to require the Environmental Protection Agency to review and research methods of disposal and storage of polychlorinated biphenyls.

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. PROHIBITION ON USE OF SOLID WASTE AS**  
2 **FUEL FOR CERTAIN INCINERATORS.**

3 Section 104 of the Comprehensive Environmental Re-  
4 sponse, Compensation and Liability Act of 1980 (42  
5 U.S.C. 9604) is amended by adding at the end the follow-  
6 ing new subsection:

7 “(k) PROHIBITION ON USE OF SOLID WASTE AS  
8 FUEL FOR CERTAIN INCINERATORS.—Solid waste may  
9 not be used as fuel in any incinerator—

10 “(1) being used for the destruction of poly-  
11 chlorinated biphenyls or other hazardous substances  
12 from a facility subject to a response action under  
13 this Act; or

14 “(2) being used in any other way in the imple-  
15 mentation of a response action under this Act.”.

16 **SEC. 2. REVIEW AND RESEARCH ON DISPOSAL AND STOR-**  
17 **AGE OF POLYCHLORINATED BIPHENYLS.**

18 Section 25 of the Toxic Substances Control Act (15  
19 U.S.C. 2624) is amended by adding at the end the follow-  
20 ing new subsection:

21 “(c) PCB DISPOSAL AND STORAGE.—(1) Not later  
22 than 120 days after the date of the enactment of this sub-  
23 section, the Administrator shall conduct a review of the  
24 methods for disposal and long-term storage of poly-  
25 chlorinated biphenyls. In conducting the review, the Ad-  
26 ministrator shall analyze the safety of such methods and

1 determine whether the safest methods are being used or  
2 authorized. Using the results of the review, the Adminis-  
3 trator shall make revisions in the regulations under such  
4 section to require use of the safest methods for disposal  
5 of polychlorinated biphenyls.

6       “(2) Not later than 120 days after the date of the  
7 enactment of this subsection, the Administrator shall es-  
8 tablish and begin implementing a research program on ad-  
9 ditional methods for disposal, long-term storage, and other  
10 means of containing and preventing the spread of contami-  
11 nation of polychlorinated biphenyls. The research program  
12 shall emphasize research on methods of disposal other  
13 than incineration.

14       “(3) Not later than one year after the date of the  
15 enactment of this subsection, the Administrator shall sub-  
16 mit to Congress a report on the review conducted under  
17 paragraph (1) and the research program established under  
18 paragraph (2), with recommendations on legislative  
19 changes that may be necessary to carry out the results  
20 of the review and research.

21       “(4) There are authorized to be appropriated to the  
22 Administrator such sums as may be necessary for pur-  
23 poses of carrying out the review and research program  
24 under this subsection.”.

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