

103^D CONGRESS
1ST SESSION

H. R. 1782

To require the Administrator of the Environmental Protection Agency to apply the hazard ranking system under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to areas in the Chesapeake Bay Program in the same manner as such system is applied to areas in the National Estuary Program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1993

Mr. GILCHREST (for himself, Mrs. BENTLEY, Mr. CARDIN, Mr. BARTLETT of Maryland, Mr. MFUME, Mr. HOYER, Mrs. MORELLA, and Mr. WYNN) introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation and Energy and Commerce

A BILL

To require the Administrator of the Environmental Protection Agency to apply the hazard ranking system under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to areas in the Chesapeake Bay Program in the same manner as such system is applied to areas in the National Estuary Program.

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. SHORT TITLE.**

4 This Act may be cited as the “Chesapeake Bay
5 Protection Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The Environmental Protection Agency
4 (EPA) has adopted revisions to the Hazard Ranking
5 System, the principal mechanism for placing sites on
6 the National Priorities List (NPL) under the Com-
7 prehensive Environmental Response, Compensation,
8 and Liability Act of 1980. These revisions took ef-
9 fect March 14, 1991.

10 (2) The revised ranking system made changes
11 in the way EPA evaluates potential threats to
12 human health and the environment from hazardous
13 waste sites.

14 (3) Within the revised ranking system, EPA ex-
15 panded the list of sensitive environments. The most
16 sensitive environments, like critical habitats for fed-
17 erally designated endangered or threatened species,
18 and sensitive areas identified under the National Es-
19 tuary Program, are granted additional points.

20 (4) The Chesapeake Bay Program, established
21 to coordinate a Federal program to clean up the
22 Chesapeake Bay, designates a sensitive estuarine en-
23 vironment with respect to which Federal resources
24 have been invested. These areas deserve the same
25 protection as the protection provided for estuaries
26 under the National Estuary Program.

1 **SEC. 3. REQUIREMENT TO RANK CHESAPEAKE BAY PRO-**
2 **GRAM AREAS IN SAME MANNER AS NATIONAL**
3 **ESTUARY PROGRAM AREAS UNDER**
4 **SUPERFUND HAZARD RANKING SYSTEM.**

5 (a) REQUIREMENT.—Not later than 60 days after the
6 date of the enactment of this Act, the Administrator of
7 the Environmental Protection Agency shall by rule pro-
8 mulgate an amendment to the hazard ranking system
9 under section 105(c) of the Comprehensive Environmental
10 Response, Compensation, and Liability Act of 1980 (42
11 U.S.C. 9605(c)) to require that such system be applied
12 to areas under the Chesapeake Bay Program in the same
13 manner as the system is applied to areas under the Na-
14 tional Estuary Program by, at a minimum, considering
15 areas in the Chesapeake Bay Program to be environ-
16 mentally sensitive and by assigning such areas the same
17 rating value as areas under the estuary program.

18 (b) REEVALUATIONS.—After the amendment is pro-
19 mulgated under subsection (a), the Administrator of the
20 Environmental Protection Agency shall reevaluate the
21 hazard ranking of any area in the Chesapeake Bay Pro-
22 gram which was evaluated in accordance with the criteria
23 under the hazard ranking system before the effective date
24 of the amendment required by subsection (a).

25 (c) CHESAPEAKE BAY PROGRAM DEFINED.—For
26 purposes of this Act, the term “Chesapeake Bay Pro-

1 gram” means the program referred to in section 117 of
2 the Federal Water Pollution Control Act (33 U.S.C.
3 1267).

○