

1999 DRAFTING REQUEST

Bill

Received: **09/18/98**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wong**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact: **DNR**

Alt. Drafters:

Subject: **Environment - miscellaneous**

Extra Copies: **DNR**
PK

Topic:

DOA:.....Wong - Pollution prevention

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	traderc 11/13/98	gilfokm 11/13/98	jfrantze 11/16/98	_____	gretskl 11/16/98		
/1	traderc 01/3/99	gilfokm 01/4/99	lpaasch 01/4/99	_____	lrb_docadmin 01/4/99		

FE Sent For:

<END>

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/P1	traderc 11/13/98	gilfokm 11/13/98	jfrantze 11/16/98	_____	gretskl 11/16/98		

FE Sent For: *12-1-4-99*
Kmg *H4LP* *H4LP*
CH
<END>

1999 DRAFTING REQUEST

Bill

Received: 09/18/98

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Schmiedicke

This file may be shown to any legislator: NO

Drafter: traderc

May Contact: DNR

Alt. Drafters:

Subject: Environment - miscellaneous

Extra Copies: DNR
PJK

Topic:

DOA:.....Schmiedicke - Pollution prevention

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	traderc	1/11-13 Kmg	11/16	11/16	Please submit 1/1		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/18/98**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Natural Resources**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - miscellaneous**

Extra Copies:

Topic:

Pollution prevention

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc			_____			

FE Sent For:

<END>

3675 (30)
560.19

1999-2001 Statutory Language Proposals

Division: Customer Assistance and External Relations
Bureau: Cooperative Environmental Assistance
Issue/Topic: Change Statutory Definition of Pollution Prevention
Proposed Change: Delete s. 299.13(1)(c) and replace it with the following language:

“Pollution prevention” means not creating wastes. It includes any practice which:

- (a) reduces the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal;
- (b) reduces the hazards to public health and the environment associated with the release of such hazardous substances, pollutants or contaminants; and
- (c) reduces or eliminates the creation of hazardous substances, pollutants or contaminants through
 1. increased efficiency in the use of raw materials, energy, water or other resources, or
 2. protection of natural resources by conservation.

Pollution prevention practices include but are not limited to:

- ✓(a) equipment or technology modifications;
- ✓(b) process or procedure modifications;
- ✓(c) redesign of products or reformulation of products;
- ✓(d) substitution of raw materials;
- (e) improvements in housekeeping practices, facility or equipment maintenance, employee waste minimization training or inventory control; or
- ✓(f) energy use reduction and conservation practices and equipment changes.

Pollution prevention does not include any practice which alters the physical, chemical or biological characteristics or the volume of a hazardous substance, pollutant or contaminant through a process or activity which itself is not part of the production of a product or the providing of a service. Environmental management approaches such as recycling, combustion, treatment, control and disposal are not pollution prevention.

Notwithstanding sec. 287.05(12), in the management of hazardous substances, pollutants, contaminants or wastes, the state encourages the following priorities:

- (a) pollution prevention to reduce the amount of hazardous substances, pollutants, contaminants or wastes generated.
- (b) reuse of hazardous substances, pollutants, contaminants or wastes generated.

- (c) recycling of hazardous substances, pollutants, contaminants or wastes generated.
- (d) control and disposal of hazardous substances, pollutants, contaminants or wastes generated.

Remove the word "hazardous" in the following cites:

299.13 ~~Hazardous~~ pollution prevention.

299.13(1m) PROMOTION OF ~~HAZARDOUS~~ POLLUTION PREVENTION. In carrying out the duties under this section and ss. 36.25(30) and 560.19, the department, the department of commerce and the program shall promote all of the following techniques for ~~hazardous~~ pollution prevention.

299.13(2)(a) Designate an employe of the department to serve as ~~hazardous~~ pollution prevention coordinator and to do all of the following:

2. Recommend educational priorities to the university of Wisconsin-extension for the program, concerning volume and toxicity of hazardous substances, toxic pollutants and hazardous waste produced, lack of compliance with environmental standards, potential for ~~hazardous~~ pollution prevention and projected shortfalls in hazardous waste treatment or disposal facilities under the capacity assurance plan.

3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with those of other governmental agencies and private groups.

4. Provide training concerning ~~hazardous~~ pollution prevention to employes of the department.

(b) Identify all department requirements for reporting on ~~hazardous~~ pollution prevention and, to the extent possible and practical, standardize, coordinate and consolidate the reporting in order to minimize duplication and provide useful information on hazardous pollution prevention to the legislature and the public.

(d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

Explanatory Note:

The current definition of pollution prevention only focuses on hazardous pollution prevention. This proposal would broaden the definition to include non-hazardous contaminants and bring Wisconsin's definition closer to the national definition of pollution prevention. In addition, this proposal clarifies the waste reduction hierarchy for all environmental programs is reduce, reuse, recycle than control/dispose. This proposal reinforces that pollution prevention is the preferable means of environmental protection in Wisconsin.

Desired Effective Date: Upon passage of the budget.

Contact Person: Joy Stewart 266-2159



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-8522

REFERENCE SECTION: (608) 266-0341
REFERENCE FAX: (608) 266-5648

September 28, 1998

MEMORANDUM

To: Joy Stewart, DNR

From: Becky Tradewell, LRB *Becky*

Subject: Pollution prevention budget drafting request

I have received the budget drafting request concerning pollution prevention and I have some comments and questions related to that request.

Under current law, the Board of Regents of the University of Wisconsin System and the Department of Commerce also have duties related to hazardous pollution prevention. Sections 36.25 (30) and 560.19 (copies attached), which describe some of those responsibilities, rely on the definition of hazardous pollution prevention in s. 299.13. Therefore, it is not possible to eliminate that definition of hazardous pollution prevention (as proposed in the drafting request) without making changes in ss. 36.25 and 560.19. Also, s. 299.13 (1m) imposes responsibilities on the other agencies related to hazardous pollution prevention, in addition to imposing responsibilities on DNR. The proposed language in the drafting request seems to change the responsibilities of those agencies (as well as DNR's), but I am not certain whether that is intentional.

Does DNR intend this draft to change the responsibilities of the Board of Regents and the Department of Commerce under ss. 36.25 (30) and 560.19? If the answer is yes, how should those responsibilities be changed? If the answer is no, a definition of hazardous pollution prevention must remain somewhere in the statutes. Does DNR intend this draft to change the responsibilities of the Board of Regents and the Department of Commerce under s. 299.13 (1m)? If, not, we will need to discuss how s. 299.13 can be treated so that the draft does not change those responsibilities.

Please call me at 266-7290 if you have any questions about this memo.

10/16/98

To: Becky

From: Joy

*Here are the changes from
Bd. of Regents + Commerce.*

Bd. of Regents

36.25(30)

(30) ~~Hazardous~~ pollution prevention program. The board shall ~~establish~~ ^{maintain?} in the extension a ~~hazardous~~ ^{- solid + Hazardous waste education center} pollution prevention program to promote ~~hazardous~~ pollution prevention, as defined in s. 299.13 (1) (c). In cooperation with the department of natural resources and the department of commerce, the program shall conduct an education and technical assistance program to promote ~~hazardous~~ pollution prevention in this state.

Solid + Haz Waste Ed. Center
Tom Blewett

Commerce

560.19

560.19 ~~Hazardous~~ pollution prevention.

560.19(1)

(1) In this section, "~~hazardous~~ pollution prevention" has the meaning given in s. 299.13 (1) (c).

560.19(2)

(2) (intro.) From the appropriation under s. 20.143 (1) (em), the department may contract with the board of regents of the University of Wisconsin System for educational services from the University of Wisconsin-Extension solid and hazardous waste education center. If the department enters into a contract under this subsection, the contract shall provide that the solid and hazardous waste center shall do all of the following:

560.19(2)(a)

(a) (intro.) Expand its educational program to include business assessment activities that are specified in the contract and that have the following purposes:

560.19(2)(a)1.

1. Determining the full costs of using and producing hazardous substances, toxic pollutants and ~~hazardous~~ waste. ^{solid or}

560.19(2)(a)2.

2. Identifying processes that use or produce hazardous substances, toxic pollutants or ~~hazardous~~ waste and the composition of the hazardous substances, toxic pollutants or hazardous waste. ^{solid or}

560.19(2)(a)3.

3. Identifying ~~hazardous~~ pollution prevention options. ^{solid or}

560.19(2)(b)

(b) (intro.) Consider all of the following in conducting the business assessment activities under the contract:

560.19(2)(b)1.

1. The need for a ~~hazardous~~ pollution prevention assessment and a program participant's willingness to participate in an assessment.

560.19(2)(b)2.

2. The technical and financial ability of a program participant to implement ~~hazardous~~ pollution prevention.

560.19(2)(b)3.

3. The potential for others to use the information gained from a ~~hazardous~~ pollution prevention assessment.

560.19(3)

Pam Christenson
Hampton Rothwell

(3) In coordination with the ~~hazardous~~ pollution prevention program under s. 36.25 (30) and the department of natural resources the department shall conduct an education, environmental management and technical assistance program to promote ~~hazardous~~ pollution prevention among businesses in the state.

Orig. DNR
draft

"Pollution prevention" means not creating wastes. It includes any practice which:

- a. reduces the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal;
- b. reduces the hazards to public health and the environment associated with the release of such hazardous substances, pollutants or contaminants; ~~and~~ or
- c. reduces or eliminates the creation of hazardous substances, pollutants or contaminants through:
 - i. increased efficiency in the use of raw materials, energy, water or other resources, or
 - ii. protection of natural resources by conservation.

Becky —
you
may
have
already
caught
this but
I think
our
original
draft
had an
error
here

Pollution prevention practices include but are not limited to:

- a. equipment or technology modifications;
- b. process or procedure modifications;
- c. redesign of products or reformulation of products;
- d. substitution of raw materials;
- e. improvements in housekeeping practices, facility or equipment maintenance, employee waste minimization training or inventory control; or
- f. energy use reduction and conservation practices and equipment changes.

Pollution prevention does not include any practice which alters the physical, chemical or biological characteristics or the volume of a hazardous substance, pollutant or contaminant through a process or activity which itself is not part of the production of a product or the providing of a service. Environmental management approaches such as recycling, combustion, treatment, control and disposal are not pollution prevention.

Notwithstanding sec. 287.05(12), in the management of hazardous substances, pollutants, contaminants or wastes, the state encourages the following priorities:

- a. pollution prevention to reduce the amount of hazardous substances, pollutants, contaminants or wastes generated.
- b. reuse of hazardous substances, pollutants, contaminants or wastes generated.
- c. recycling of hazardous substances, pollutants, contaminants or wastes generated.
- d. control and disposal of hazardous substances, pollutants, contaminants or wastes generated.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0240/P1

RCT: *king*

SO ON

DOA:.....Schmiedicke - Pollution prevention

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

ONote

Don't contact.

1 AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 36.25 (30) of the statutes is amended to read:

3 36.25 (30) ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board

4 shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~

5 solid and hazardous waste education center to promote ~~hazardous~~ pollution

6 prevention, as defined in s. 299.13 (1) (e) (dm). In cooperation with the department

7 of natural resources and the department of commerce, the ~~program~~ center shall conduct an

8 education and technical assistance program to promote ~~hazardous~~ pollution

9 prevention in this state.

History: 1973 c. 333 ss. 68, 201f (2); 1973 c. 335; 1975 c. 39, 339, 408 Supp.; 1975 c. 430 s. 80; 1977 c. 26, 29; 1977 c. 418 ss. 271 to 273, 924 (18) (e), (50); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 90 s. 23; 1979 c. 177; 1981 c. 20, 93, 237, 314, 346; 1983 a. 27, 387, 524; 1983 a. 538 s. 271; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332

s. 251 (1); 1987 a. 27, 186, 399, 403; 1989 a. 31, 56, 249, 299, 325, 335, 353, 359; 1991 a. 32, 39, 167, 269; 1993 a. 16, 27, 399, 455; 1995 a. 27 ss. 1767 to 1775k, 9116 (5), 9126 (19), 9145 (1); 1995 a. 54, 101, 216, 225, 227, 378, 404, 417; 1997 a. 27, 164, 178; 1997 a. 237 ss. 82v, 722s; 1997 a. 283.

1 SECTION 2. 299.13 (title) of the statutes is amended to read:

2 299.13 (title) ~~Hazardous pollution~~ Pollution prevention.

History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27.

3 SECTION 3. 299.13 (1) (be) of the statutes is created to read:

4 299.13 (1) (be) "Center" means the solid and hazardous waste education center
5 under s. 36.25 (30).

6 SECTION 4. 299.13 (1) (c) of the statutes is repealed.

~~36.25 (30)~~

7 SECTION 5. 299.13 (1) (dm) of the statutes is created to read:

8 299.13 (1) (dm) 1. "Pollution prevention" means an action that does any of the
9 following:

- 10 a. Prevents wastes from being created.
- 11 b. Reduces the amount of wastes that are created.
- 12 c. Changes the nature of wastes being created in a way that reduces the hazards
- 13 to public health or the environment posed by the wastes.

14 2. "Pollution prevention" does not include incineration, recycling or treatment
15 of a waste, changes in the manner of disposal of a waste or any practice that changes
16 the characteristics or volume of a waste if the practice is not part of the process that
17 produces a product or provides a service.

18 SECTION 6. 299.13 (1) (e) of the statutes is repealed.

19 SECTION 7. 299.13 (1m) (intro.) of the statutes is amended to read:

20 299.13 (1m) PROMOTION OF ~~HAZARDOUS~~ POLLUTION PREVENTION. (intro.) In
21 carrying out the duties under this section and ss. 36.25 (30) and 560.19, the
22 department, the department of commerce and the ~~program~~ ^{center} shall promote all of the
23 following techniques for hazardous pollution prevention:

History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27.

stet

1 SECTION 8. 299.13 (1m) (h) of the statutes is created to read:

2 299.13 (1m) (h) Reducing energy use.

stet

3 SECTION 9. 299.13 (1m) (g) of the statutes is created to read:

4 299.13 (1m) (g) Training employes to minimize waste.

stet

stet

5 SECTION 10. 299.13 (2) (a) of the statutes is amended to read:

6 299.13 (2) (a) Designate an employe of the department to serve as hazardous
7 pollution prevention coordinator and to do all of the following:

8 2. Recommend educational priorities to the university of Wisconsin-extension
9 for the ~~program~~ center, considering volume and toxicity of hazardous substances,
10 toxic pollutants and hazardous waste produced, lack of compliance with
11 environmental standards, potential for ~~hazardous~~ pollution prevention and
12 projected shortfalls in hazardous waste treatment or disposal facilities under the
13 capacity assurance plan.

14 3. Coordinate the department's hazardous pollution prevention efforts with
15 those of other governmental agencies and private groups.

16 4. Provide training concerning hazardous pollution prevention to employes of
17 the department.

History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27.

18 SECTION 11. 299.13 (2) (b) of the statutes is amended to read:

19 299.13 (2) (b) Identify all department requirements for reporting on hazardous
20 pollution prevention and, to the extent possible and practical, standardize,
21 coordinate and consolidate the reporting in order to minimize duplication and
22 provide useful information on hazardous pollution prevention to the legislature and
23 the public.

History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27.

24 SECTION 12. 299.13 (2) (d) of the statutes is amended to read:

1 299.13 (2) (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

2 History: 1989 a. 325, 359; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27 ss. 4337 to 4349, 9116 (5); 1995 a. 227 s. 820; Stats. 1995 s. 299.13; 1997 a. 27.

3 **SECTION 13.** 560.19 (title) of the statutes is amended to read:

4 **560.19 (title) Hazardous ~~pollution~~ Pollution prevention.**

5 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

6 **SECTION 14.** 560.19 (1) of the statutes is amended to read:

7 560.19 (1) In this section, “~~hazardous~~ pollution prevention” has the meaning
8 given in s. 299.13 (1) (e) [✓](dm).

9 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

10 **SECTION 15.** 560.19 (2) (a) 1. of the statutes is amended to read:

11 560.19 (2) (a) 1. Determining the full costs of using and producing hazardous
12 substances, toxic pollutants and solid or hazardous waste.

13 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

14 **SECTION 16.** 560.19 (2) (a) 2. of the statutes is amended to read:

15 560.19 (2) (a) 2. Identifying processes that use or produce hazardous
16 substances, toxic pollutants or solid or hazardous waste and the composition of the
17 hazardous substances, toxic pollutants or solid or hazardous waste.

18 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

19 **SECTION 17.** 560.19 (2) (a) 3. of the statutes is amended to read:

20 560.19 (2) (a) 3. Identifying ~~hazardous~~ pollution prevention options.

21 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

22 **SECTION 18.** 560.19 (2) (b) 1. of the statutes is amended to read:

23 560.19 (2) (b) 1. The need for a ~~hazardous~~ pollution prevention assessment and
24 a program participant’s [✓]willingness to participate in an assessment.

25 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

26 **SECTION 19.** 560.19 (2) (b) 2. of the statutes is amended to read:

27 560.19 (2) (b) 2. The technical and financial ability of a program participant to
28 implement ~~hazardous~~ pollution prevention.

29 History: 1989 a. 325; 1989 a. 359 s. 381; 1993 a. 16; 1995 a. 27, 227; 1997 a. 27.

30 **SECTION 20.** 560.19 (2) (b) 3. of the statutes is amended to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0240/P1dn

RCT:.....
King

This is a preliminary version of the pollution prevention draft.

The definition of "pollution prevention" that was provided to me contained a significant amount of material that was not definitional. I have attempted to draft a definition that captures the meaning of "pollution prevention" and that excludes material that is illustrative or is otherwise unnecessary. Section 299.13 (1m) includes a list of kinds of pollution prevention practices. I have added two more kinds of practices based on the list in the proposed definition. Please review the current list in s. 299.13 (1m) to determine whether you wish to revise any of the current items.

Please contact me if you have any questions about this draft.

Rebecca C. Tradewell
Assistant Chief Counsel
266-7290

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0240/P1dn
RCT:kmg:jf

November 16, 1998

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Rebecca C. Tradewell
Assistant Chief Counsel
266-7290



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0240/1
RCT:kmg:jf

soon

redraft
make
run

DOA:.....Schmiedicke - Pollution prevention

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

ONote

1 <sup>Don't
Gen Cat</sup> AN ACT **relating to:** the budget.

Analysis
insert →

Analysis by the Legislative Reference Bureau

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 36.25 (30) of the statutes is amended to read:

3 36.25 (30) ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board
4 shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~
5 solid and hazardous waste education center to promote hazardous pollution
6 prevention, as defined in s. 299.13 (1) (e) (~~dm~~). In cooperation with the department
7 of natural resources and the department of commerce, the ~~program~~ center shall
8 conduct an education and technical assistance program to promote hazardous
9 pollution prevention in this state.

1 **SECTION 2.** 299.13 (title) of the statutes is amended to read:

2 **299.13** (title) ~~Hazardous pollution~~ **Pollution prevention.**

3 **SECTION 3.** 299.13 (1) (be) of the statutes is created to read:

4 299.13 (1) (be) "Center" means the solid and hazardous waste education center
5 under s. 36.25 (30).

6 **SECTION 4.** 299.13 (1) (c) of the statutes is repealed.

7 **SECTION 5.** 299.13 (1) (dm) of the statutes is created to read:

8 299.13 (1) (dm) 1. "Pollution prevention" means an action that does any of the
9 following:

10 a. Prevents waste~~s~~ from being created.

11 b. Reduces the amount of waste~~s~~ that ~~are~~ ^{is} created.

12 c. Changes the nature of waste~~s~~ being created in a way that reduces the hazards
13 to public health or the environment posed by the waste~~s~~.

14 2. "Pollution prevention" does not include incineration, recycling or treatment
15 of a waste, changes in the manner of disposal of a waste or any practice that changes
16 the characteristics or volume of a waste if the practice is not part of the process that
17 produces a product or provides a service.

18 **SECTION 6.** 299.13 (1) (e) of the statutes is repealed.

19 **SECTION 7.** 299.13 (1m) (intro.) of the statutes is amended to read:

20 299.13 (1m) **PROMOTION OF HAZARDOUS POLLUTION PREVENTION.** (intro.) In
21 carrying out the duties under this section and ss. 36.25 (30) and 560.19, the
22 department, the department of commerce and the ~~program~~ center shall promote all
23 of the following techniques for ~~hazardous~~ pollution prevention:

24 **SECTION 8.** 299.13 (1m) (f) of the statutes is created to read:

25 299.13 (1m) (f) Reducing energy use.

1 **SECTION 9.** 299.13 (1m) (g) of the statutes is created to read:

2 299.13 (1m) (g) Training employes to minimize waste.

3 **SECTION 10.** 299.13 (2) (a) of the statutes is amended to read:

4 299.13 (2) (a) Designate an employe of the department to serve as ~~hazardous~~
5 pollution prevention coordinator and to do all of the following:

6 2. Recommend educational priorities to the university of Wisconsin—extension
7 for the ~~program center~~ center, considering volume and toxicity of hazardous substances,
8 toxic pollutants and hazardous waste produced, lack of compliance with
9 environmental standards, potential for ~~hazardous~~ pollution prevention and
10 projected shortfalls in hazardous waste treatment or disposal facilities under the
11 capacity assurance plan.

12 3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with
13 those of other governmental agencies and private groups.

14 4. Provide training concerning ~~hazardous~~ pollution prevention to employes of
15 the department.

16 **SECTION 11.** 299.13 (2) (b) of the statutes is amended to read:

17 299.13 (2) (b) Identify all department requirements for reporting on ~~hazardous~~
18 pollution prevention and, to the extent possible and practical, standardize,
19 coordinate and consolidate the reporting in order to minimize duplication and
20 provide useful information on ~~hazardous~~ pollution prevention to the legislature and
21 the public.

22 **SECTION 12.** 299.13 (2) (d) of the statutes is amended to read:

23 299.13 (2) (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

24 **SECTION 13.** 560.19 (title) of the statutes is amended to read:

25 **560.19 (title) ~~Hazardous pollution~~ Pollution prevention.**

1 **SECTION 14.** 560.19 (1) of the statutes is amended to read:

2 560.19 (1) In this section, “~~hazardous~~ pollution prevention” has the meaning
3 given in s. 299.13 (1) ~~(e)~~ (dm).

4 **SECTION 15.** 560.19 (2) (a) 1. of the statutes is amended to read:

5 560.19 (2) (a) 1. Determining the full costs of using and producing hazardous
6 substances, toxic pollutants and solid or hazardous waste.

7 **SECTION 16.** 560.19 (2) (a) 2. of the statutes is amended to read:

8 560.19 (2) (a) 2. Identifying processes that use or produce hazardous
9 substances, toxic pollutants or solid or hazardous waste and the composition of the
10 hazardous substances, toxic pollutants or solid or hazardous waste.

11 **SECTION 17.** 560.19 (2) (a) 3. of the statutes is amended to read:

12 560.19 (2) (a) 3. Identifying ~~hazardous~~ pollution prevention options.

13 **SECTION 18.** 560.19 (2) (b) 1. of the statutes is amended to read:

14 560.19 (2) (b) 1. The need for a ~~hazardous~~ pollution prevention assessment and
15 a program participant’s willingness to participate in an assessment.

16 **SECTION 19.** 560.19 (2) (b) 2. of the statutes is amended to read:

17 560.19 (2) (b) 2. The technical and financial ability of a program participant to
18 implement ~~hazardous~~ pollution prevention.

19 **SECTION 20.** 560.19 (2) (b) 3. of the statutes is amended to read:

20 560.19 (2) (b) 3. The potential for others to use the information gained from a
21 ~~hazardous~~ pollution prevention assessment.

22 **SECTION 21.** 560.19 (3) of the statutes is amended to read:

23 560.19 (3) In coordination with the ~~hazardous pollution prevention program~~
24 solid and hazardous waste education center under s. 36.25 (30) and the department
25 of natural resources, the department shall conduct an education, environmental

1 management and technical assistance program to promote hazardous pollution
2 prevention among businesses in the state.

3 (END)

Done

Analysis insert,
p. 1

-0240/1

head → Environment

sub → Other environment

Under current law, the department of natural resources (DNR), the department of commerce and the board of regents of the University of Wisconsin (UW) System are required to promote hazardous pollution prevention.

"Hazardous pollution prevention" means changes in ^{proc} processes or raw materials^s that reduce or eliminate the use ^{or} production of hazardous substances^s, toxic pollutants and hazardous waste. This bill expands ^{the hazardous pollution prevention} these responsibilities.

~~so that they are not limited to hazardous or toxic substances~~ The bill requires DNR, the department of commerce and the board of regents of the UW System to promote pollution prevention. "Pollution prevention" means an action that prevents waste from being created, reduces the amount of waste that ^{is} ~~are~~

created or changes^{es} the nature of waste^{to} being created
in a way that reduces the hazards to public health
or the environment in a way that reduces the hazards
to ~~the~~ public health or the environment posed by
the waste.

end of
analysis

-0240/ldn
RST: King

DN de

DNR has notified me that they are satisfied with this draft (concerning pollution prevention). This redraft adds an analysis but makes no other changes in the draft.

RST
Managing Attorney

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0240/1dn
RCT:kmg:lp

January 4, 1999

DNR has notified me that they are satisfied with this draft (concerning pollution prevention). This redraft adds an analysis but makes no other changes in the draft.

Rebecca C. Tradewell
Assistant Chief Counsel
266-7290



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0240/1
RCT:kmg:lp

DOA:.....Wong - Pollution prevention

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

OTHER ENVIRONMENT

Under current law, the department of natural resources (DNR), the department of commerce and the board of regents of the University of Wisconsin (UW) System are required to promote hazardous pollution prevention. "Hazardous pollution prevention" means changes in processes or raw materials that reduce or eliminate the use or production of hazardous substances, toxic pollutants and hazardous waste. This bill expands the hazardous pollution prevention responsibilities. The bill requires DNR, the department of commerce and the board of regents of the UW System to promote pollution prevention. "Pollution prevention" means an action that prevents waste from being created, reduces the amount of waste that is created or changes the nature of waste being created in a way that reduces the hazards to public health or the environment posed by the waste.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 36.25 (30) of the statutes is amended to read:

1 36.25 (30) ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board
2 shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~
3 solid and hazardous waste education center to promote ~~hazardous~~ pollution
4 prevention, as defined in s. 299.13 (1) ~~(e)~~ (dm). In cooperation with the department
5 of natural resources and the department of commerce, the ~~program center~~ shall
6 conduct an education and technical assistance program to promote ~~hazardous~~
7 pollution prevention in this state.

8 **SECTION 2.** 299.13 (title) of the statutes is amended to read:

9 **299.13** (title) ~~Hazardous pollution~~ Pollution prevention.

10 **SECTION 3.** 299.13 (1) (be) of the statutes is created to read:

11 299.13 (1) (be) “Center” means the solid and hazardous waste education center
12 under s. 36.25 (30).

13 **SECTION 4.** 299.13 (1) (c) of the statutes is repealed.

14 **SECTION 5.** 299.13 (1) (dm) of the statutes is created to read:

15 299.13 (1) (dm) 1. “Pollution prevention” means an action that does any of the
16 following:

17 a. Prevents waste from being created.

18 b. Reduces the amount of waste that is created.

19 c. Changes the nature of waste being created in a way that reduces the hazards
20 to public health or the environment posed by the waste.

21 2. “Pollution prevention” does not include incineration, recycling or treatment
22 of a waste, changes in the manner of disposal of a waste or any practice that changes
23 the characteristics or volume of a waste if the practice is not part of the process that
24 produces a product or provides a service.

25 **SECTION 6.** 299.13 (1) (e) of the statutes is repealed.

1 **SECTION 7.** 299.13 (1m) (intro.) of the statutes is amended to read:

2 299.13 (1m) PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In
3 carrying out the duties under this section and ss. 36.25 (30) and 560.19, the
4 department, the department of commerce and the program center shall promote all
5 of the following techniques for ~~hazardous~~ pollution prevention:

6 **SECTION 8.** 299.13 (1m) (f) of the statutes is created to read:

7 299.13 (1m) (f) Reducing energy use.

8 **SECTION 9.** 299.13 (1m) (g) of the statutes is created to read:

9 299.13 (1m) (g) Training employes to minimize waste.

10 **SECTION 10.** 299.13 (2) (a) of the statutes is amended to read:

11 299.13 (2) (a) Designate an employe of the department to serve as ~~hazardous~~
12 pollution prevention coordinator and to do all of the following:

13 2. Recommend educational priorities to the university of Wisconsin—extension
14 for the program center, considering volume and toxicity of hazardous substances,
15 toxic pollutants and hazardous waste produced, lack of compliance with
16 environmental standards, potential for ~~hazardous~~ pollution prevention and
17 projected shortfalls in hazardous waste treatment or disposal facilities under the
18 capacity assurance plan.

19 3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with
20 those of other governmental agencies and private groups.

21 4. Provide training concerning ~~hazardous~~ pollution prevention to employes of
22 the department.

23 **SECTION 11.** 299.13 (2) (b) of the statutes is amended to read:

24 299.13 (2) (b) Identify all department requirements for reporting on ~~hazardous~~
25 pollution prevention and, to the extent possible and practical, standardize,

1 coordinate and consolidate the reporting in order to minimize duplication and
2 provide useful information on ~~hazardous~~ pollution prevention to the legislature and
3 the public.

4 **SECTION 12.** 299.13 (2) (d) of the statutes is amended to read:

5 299.13 (2) (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

6 **SECTION 13.** 560.19 (title) of the statutes is amended to read:

7 **560.19** (title) ~~Hazardous pollution~~ **Pollution prevention.**

8 **SECTION 14.** 560.19 (1) of the statutes is amended to read:

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25 implement ~~hazardous~~ pollution prevention.

