

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/27/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - solid haz. waste**

Extra Copies:

Pre Topic:

LFB:.....Bonderud -

Topic:

Public meeting about PCB disposal

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 06/2/99	chanaman 06/2/99		_____			
/1			martykr 06/2/99	_____	lrb_docadmin 06/2/99		
/2	traderc 06/3/99	chanaman 06/3/99	mclark 06/3/99	_____	lrb_docadmin 06/3/99		
/3	traderc 06/10/99	chanaman 06/10/99	kfollet 06/10/99	_____	lrb_docadmin 06/10/99		

FE Sent For:

<END>

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FE Sent For:

cmH
13
6/10

Kjf
6/10

Kjf/km
6/10
<END>

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/1		cmh 4/3	martykr 06/2/99	_____	lrb_docadmin 06/2/99		
FE Sent For:		12	mrc 6/3	mrc/Km 6/3			

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<END>

Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: May 27, 1999

DELIVER TO: **Becky Tradewell**Addressee Fax #: **4-8522**Addressee Phone #: **6-7290**# of Pages, Including Cover: **15**Sender's Initials: **kb**From: **Kendra Bonderud**

Here are the motions from yesterday for drafting. You will probably have a few questions after you look through them. Here are a few notes to be aware of:

Motion #949, Brownfields: My LFB colleagues will contact their LRB counterparts directly regarding parts B-C, so you will only need to concern yourself with A and H. Under A.4(d), I talked with Barry Ashenfelter of Sen. Burke's office, and have a phone message in to Mark Thimke to ask what cross-reference he felt was needed. Otherwise, I am not sure at the moment how (d) differs from what is in the bill. Under A.7, note that the additional study would not include WHEDA. Under A.9, I will call you later, probably on Friday, to let you know the specific changes to make in the hazardous waste generator fee, s. 289.67(2) for the base rate and/or per ton rate. The language in section H is somewhat broad. It should include a new appropriation from the environmental management account of the environmental fund for the pilot program described there.

Motion #948, Land recycling loan for Kenosha. This motion gives Kenosha \$3,000,000 off the top of the \$20,000,000 available for land recycling loans. However, if Kenosha and DNR and DOA do not enter into a financial assistance agreement by June 30, 2000, Kenosha would no longer have access to the funds and the money would again be available to the regular program.

Motion #934: PCB public meeting: I will call you after I clarify whether the DNR agreement with EPA is for concentrations over 50 ppm or for equal to or over 50 ppm. If the federal agreement is for over 50 ppm, then I will need to have you draft this motion as "equal to or less than 50 ppm" instead of how it is worded.

Representative Porter

NATURAL RESOURCES -- AIR, WASTE AND CONTAMINATED LAND**Public Meeting Requirement for Landfill Disposal
of Sediments Containing PCBs or Heavy Metals****Motion:**

Move to require that before the Department of Natural Resources approves a request by a landfill operator to dispose of sediments containing concentrations of less than 50 parts per million of polychlorinated biphenyls (PCBs) or heavy metals, that DNR must hold a public meeting within the municipality in which the landfill is located. Require that at the public meeting, DNR describe the nature of the requested disposal of PCBs or heavy metals in the landfill and to solicit public comment.

Note:

Under a 1995 agreement with the U.S. Environmental Protection Agency, DNR received authority to approve the disposal of PCB contaminated wastes in Wisconsin landfills with added monitoring and reporting requirements. DNR must also issue a public notice and comment period whenever a landfill is seeking to dispose of PCB-contaminated sediments with concentrations over 50 parts per million.

Motion #934

Tradewell, Becky

From: Bonderud, Kendra
Sent: Tuesday, June 01, 1999 11:49 AM
To: Tradewell, Becky
Subject: PCB motion drafting

Regarding drafting motion #934, related to holding a public meeting for PCB concentrations, I was able to clarify that the motion correctly refers to "less than 50 parts per million" (so we do not need to say "50 or less"). Please proceed with drafting with "less than 50". Thanks.

Kendra Bonderud
Legislative Fiscal Bureau
(608) 266-3847
Kendra.Bonderud@legis.state.wi.us

1999

Date (time) needed SOON

LRB b 0443, 1

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

RUT : cmH : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 1170, line 10.: after that line insert:

Section 2569h. CR; 289.54

#. Page , line : ^(B) 289.54 Disposal of certain sediments. ⁽¹⁾
In this section, "PCBs" has the meaning given in s. 299.45(1)(a).

⁽²⁾ The department may not approve a request by the operator

#. Page , line : of a solid waste disposal facility to

accept sediments that contain PCBs ~~as defined in~~

#. Page , line : ~~s. 299.45(1)(a)~~ or heavy metals in

a concentration of 50 parts per million

#. Page , line : or less for disposal in the solid waste disposal

#. Page , line : facility until after the department

holds a public meeting in the city, village or town in



which the solid waste disposal facility is located.

At the public meeting, the department shall describe the nature of the requested disposal and shall solicit public comment. "

(End)



State of Wisconsin
1999 - 2000 LEGISLATURE

SO ON

LRBb0443~~2~~²
RCT:cmh:km

rmr

LFB:.....Bonderud - Public meeting about PCB disposal

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1170, line 10: after that line insert:

3 “**SECTION 2569h.** 289.54 of the statutes is created to read:

4 **289.54 Disposal of certain sediments.** (1) In this section, “PCBs” has the
5 meaning given in s. 299.45 (1) (a).

6 (2) The department may not approve a request by the operator of a solid waste
7 disposal facility to accept sediments that contain PCBs or heavy metals in a
8 concentration of ^{less than} 50 parts per million ~~or less~~ for disposal in the solid waste disposal
9 facility until after the department holds a public meeting in the city, village or town
10 in which the solid waste disposal facility is located. At the public meeting, the

1 department shall describe the nature of the requested disposal and shall solicit
2 public comment.”.

3 (END)

6/10 Re: Kendra - Redraft to change from "sidement"
to dredge material

RUT



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0443/3
RCT:cmh:mrc

SO ON

rmy

LFB:.....Bonderud - Public meeting about PCB disposal

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 1170, line 10: after that line insert:

3 "SECTION 2569h. 289.54 of the statutes is created to read:

4 **289.54 Disposal of certain ^{dredged materials} ~~sediments~~** (1) In this section, "PCBs" has the
5 meaning given in s. 299.45 (1) (a).

6 (2) The department may not approve a request by the operator of a solid waste
7 disposal facility to accept ^{dredged materials} ~~sediments~~ that contain PCBs or heavy metals in a
8 concentration of less than 50 parts per million for disposal in the solid waste disposal
9 facility until after the department holds a public meeting in the city, village or town
10 in which the solid waste disposal facility is located. At the public meeting, the

1 department shall describe the nature of the requested disposal and shall solicit
2 public comment.”

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0443/3
RCT:cmh:kjf

LFB:.....Bonderud – Public meeting about PCB disposal

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1170, line 10: after that line insert:

3 **“SECTION 2569h.** 289.54 of the statutes is created to read:

4 **289.54 Disposal of certain dredged materials.** (1) In this section, “PCBs”
5 has the meaning given in s. 299.45 (1) (a).

6 (2) The department may not approve a request by the operator of a solid waste
7 disposal facility to accept dredged materials that contain PCBs or heavy metals in
8 a concentration of less than 50 parts per million for disposal in the solid waste
9 disposal facility until after the department holds a public meeting in the city, village
10 or town in which the solid waste disposal facility is located. At the public meeting,

1 the department shall describe the nature of the requested disposal and shall solicit
2 public comment.”.

3 (END)