

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB258)

Received: **06/04/2009**

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Mary Hubler (608) 266-2519**

By/Representing: **Herself**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hubler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disposal of used motor vehicle oil filters and materials used to absorb waste petroleum and synthetic oils

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>
/?	btradewe 06/04/2009	kfollett 06/04/2009		_____			
/P1			rschluet 06/04/2009	_____	cduerst 06/04/2009		
/1	btradewe 06/04/2009	kfollett 06/04/2009	jfrantze 06/04/2009	_____	cduerst 06/04/2009	cduerst 06/04/2009	

FE Sent For:

<END>

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/?	btradewe 06/04/2009	kfollett 06/04/2009		_____			
/P1		<i>1/15f</i> <i>6/4</i>	rschluet 06/04/2009	_____	cduerst 06/04/2009		
FE Sent For:			<i>Jb</i>	<i>6/4</i>			

<END>

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/?	btradewe	1P/1GJF 6/4/09		 6/4/09			

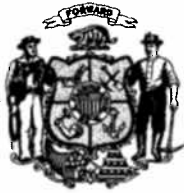
FE Sent For: **<END>**

6/4/09 Meeting with Rep. Habler; Sue Bangert, Ann Coakley & Gene Mitchell from DNR; and Sen. Hirsderf's aide Mike. Brian King participated in some of the meeting by phone.

2 issues: 1. Want to cover absorbant materials used for more than just automotive engine oil. Manufacturers and other commercial operations use absorbant materials for lubricating, cooling, and in hydraulic equipment. So - make a definition based on NR 660.10(138).

absorbant materials used in
2. Not cover normal household situations, eg. spill a little motor oil. Gene suggested - excluding absorbant materials used for nonroutine spills, ~~of~~ less than 1 gallon of absorbant materials generated by a household resulting in ~~the~~

RT



State of Wisconsin
2009 - 2010 LEGISLATURE

Today, if possible

Assembly Substitute Amendment

50075/PJ
LRB-2683/T
RCT:nwn&kjf.md
Stays rmnr

to **2009 ASSEMBLY BILL 258**

Note

May 8, 2009 - Introduced by Representatives HUBLER, BLACK, JORGENSEN, HRAYCHUCK, A. OTT, KAUFERT, TOWNSEND, LOTHIAN, BERCEAU, SPANBAUER and RIPP, cosponsored by Senators HARSDORF and TAYLOR. Referred to Committee on Natural Resources.

Reyen

derived
petroleum-based or
synthetic

- 1 AN ACT to amend 287.95 (1); and to create 287.07 (4m) of the statutes; relating
- 2 to: the disposal of used automotive engine oil filters and oil absorbent materials
- 3 and providing a penalty.

substitute amendment

Analysis by the Legislative Reference Bureau

Current law prohibits various items and substances, including lead acid batteries, major appliances, and waste oil, from being disposed of in landfills.

This bill prohibits the disposal in landfills of used automotive oil filters and materials that have been used to absorb spilled or used automotive engine oil. The prohibition takes effect a year after the bill is enacted.

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

- 4 SECTION 1. 287.07 (4m) of the statutes is created to read:
- 5 287.07 (4m) OIL FILTERS AND OIL ABSORBENT MATERIALS. (a) In this subsection:
- 6 1. "Automotive engine oil" has the meaning given in s. 287.15 (1) (a).
- 7 2. "Oil absorbent materials" means materials that are used to absorb spilled
- 8 or used waste oil.

The substitute amendment also generally prohibits the disposal in landfills of

ASSEMBLY BILL 258

3. "Oil filter" means a filter for automotive engine oil.

(b) Beginning on the first day of the 13th month beginning after publication

[LRB inserts date], no person may do any of the following:

1. Dispose of a used oil filter in a solid waste disposal facility.

2. Dispose of oil absorbent materials that contain spilled or used automotive

engine oil in a solid waste disposal facility, except as provided in par. (c)

SECTION 2. 287.95 (1) of the statutes is amended to read:

287.95 (1) Any person who violates s. 287.07 (1m) or (4m) may be required to

forfeit \$50 for a first violation, may be required to forfeit \$200 for a 2nd violation and

may be required to forfeit not more than \$2,000 for a 3rd or subsequent violation.

(END)

Note

Insert 2-1

Insert 2-6

waste

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0075/P1ins
RCT:.....

1

Insert 2-1

petroleum-derived oil

2

4. "Waste oil" means any oil that has been refined from crude oil or any

3

synthetic oil^o that has been used or spilled.

4

Insert 2-6

5

(c) Paragraph (b) 2. [✓] does not apply to the disposal of less than one gallon of oil [✓]

6

absorbent materials that contain waste oil [✓] resulting from a nonroutine spill by a

7

household.

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

LRBs0075/P1dn

RCT...*ef*

Date

Representative Hubler:

This is a preliminary version of the substitute amendment to AB 258. I used the term "waste oil" to clarify that this applies to oil that is spilled before it is used (in transferring the oil into a machine, for example) as well as used oil. I modified the definition a little from the definition in DNR's rule for the same reason.

Please let me know if you have any questions or want any changes.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

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

LRBs0075/P1dn
RCT:kjf:rs

June 4, 2009

Representative Hubler:

This is a preliminary version of the substitute amendment to AB 258. I used the term "waste oil" to clarify that this applies to oil that is spilled before it is used (in transferring the oil into a machine, for example) as well as used oil. I modified the definition a little from the definition in DNR's rule for the same reason.

Please let me know if you have any questions or want any changes.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

6/4/09 3:50 p.m.

Per Steve from Rep Hubler's office!
delete "by a household" on p. 2, lines 13-14. Do a
13.

RT



Today, if possible

r mr

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 258

Regen

1 AN ACT *to amend* 287.95 (1); and *to create* 287.07 (4m) of the statutes; **relating**
2 **to:** the disposal of used automotive engine oil filters and oil absorbent materials
3 and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits various items and substances, including lead acid batteries, major appliances, and waste oil, from being disposed of in landfills.

This substitute amendment prohibits the disposal in landfills of used automotive oil filters. The substitute amendment also generally prohibits the disposal in landfills of materials that have been used to absorb spilled or used petroleum-derived or synthetic oil. The prohibition takes effect a year after the bill is enacted.

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

4 SECTION 1. 287.07 (4m) of the statutes is created to read:

1 287.07 (4m) OIL FILTERS AND OIL ABSORBENT MATERIALS. (a) In this subsection:

2 1. "Automotive engine oil" has the meaning given in s. 287.15 (1) (a).

3 2. "Oil absorbent materials" means materials that are used to absorb waste oil.

4 3. "Oil filter" means a filter for automotive engine oil.

5 4. "Waste oil" means any petroleum-derived or synthetic oil that has been used
6 or spilled.

7 (b) Beginning on the first day of the 13th month beginning after publication
8 [LRB inserts date], no person may do any of the following:

9 1. Dispose of a used oil filter in a solid waste disposal facility.

10 2. Dispose of oil absorbent materials that contain waste oil in a solid waste
11 disposal facility, except as provided in par. (c).

12 (c) Paragraph (b) 2. does not apply to the disposal of less than one gallon of oil
13 absorbent materials that contain waste oil resulting from a nonroutine spill by a

14 household

15 SECTION 2. 287.95 (1) of the statutes is amended to read:

16 287.95 (1) Any person who violates s. 287.07 (1m) or (4m) may be required to
17 forfeit \$50 for a first violation, may be required to forfeit \$200 for a 2nd violation and
18 may be required to forfeit not more than \$2,000 for a 3rd or subsequent violation.

19 (END)