



1995 SENATE BILL 205

May 16, 1995 - Introduced by Senators LEEAN, ELLIS, and RUDE by request of Governor Tommy G. Thompson. Referred to Committee on Environment and Energy.

1 **AN ACT to repeal** 144.955 (1) (g); and **to amend** 144.955 (1) (c), 144.955 (1m) (c),
2 144.955 (2) (a) 2., 144.955 (2) (b) and 144.955 (3) (d) of the statutes; **relating**
3 **to:** hazardous pollution prevention.

Analysis by the Legislative Reference Bureau

Under current law, the University of Wisconsin-Extension, the department of development (DOD) and the department of natural resources (DNR) all have certain responsibilities related to hazardous pollution prevention in the state. The hazardous pollution prevention program in the University of Wisconsin-Extension promotes hazardous pollution prevention through education and technical assistance. DOD provides grants for assessments to determine the cost of using and producing hazardous substances, toxic pollutants and hazardous waste; to identify processes that use or produce such substances, pollutants or waste; and to identify options for the prevention of hazardous pollution. DNR promotes certain techniques for hazardous pollution prevention, assists the University of Wisconsin-Extension in conducting its program and recommends priorities for that program after considering a number of specified criteria.

Hazardous pollution prevention is defined in current law as changes in processes or raw materials that reduce or eliminate the use or production of hazardous substances, toxic pollutants and hazardous waste. This bill makes some changes in the definition of hazardous pollution prevention. As a result, "hazardous substances, toxic pollutants and hazardous waste" are expanded to "environmental pollution" and certain processes that were specified as not hazardous pollution prevention are eliminated from that category. The bill also eliminates projected shortfalls under DNR's plan for the management of hazardous waste generated in this state from the criteria that DNR must consider in recommending priorities to

the University of Wisconsin-Extension for its hazardous pollution prevention program.

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

1 **SECTION 1.** 144.955 (1) (c) of the statutes is amended to read:

2 144.955 (1) (c) “Hazardous pollution prevention” means changes in design,
3 production processes, plant operations or raw materials material choices that reduce
4 or eliminate the use or production of hazardous substances, toxic pollutants and
5 ~~hazardous waste~~ environmental pollution. “Hazardous pollution prevention” does
6 not include incineration, changes in the manner of release of a hazardous substance,
7 toxic pollutant or hazardous waste, recycling of a hazardous substance, toxic
8 pollutant or hazardous waste outside of the process or, treatment of hazardous
9 substances, toxic pollutants or hazardous waste after the completion of the process
10 or post-process environmental control technology.

11 **SECTION 2.** 144.955 (1) (g) of the statutes is repealed.

12 **SECTION 3.** 144.955 (1m) (c) of the statutes is amended to read:

13 144.955 (1m) (c) Changing processes and equipment that produce hazardous
14 substances, toxic pollutants or hazardous waste environmental pollution.

15 **SECTION 4.** 144.955 (2) (a) 2. of the statutes is amended to read:

16 144.955 (2) (a) 2. Recommend educational priorities to the university of
17 Wisconsin-extension for the program, considering volume and toxicity of hazardous
18 substances, toxic pollutants and hazardous waste environmental pollution
19 produced, lack of compliance with environmental standards, and potential for
20 hazardous pollution prevention and ~~projected shortfalls in hazardous waste~~
21 ~~treatment or disposal facilities under the capacity assurance plan.~~

