



2005 ASSEMBLY BILL 34

January 25, 2005 - Introduced by Representatives OWENS, KAUFERT, AINSWORTH, ALBERS, BLACK, HINES, KERKMAN and UNDERHEIM, cosponsored by Senators ERPENBACH, ELLIS and ROESSLER. Referred to Committee on Natural Resources.

1 **AN ACT to repeal** 20.370 (2) (fq), 289.645 (4) (d) and 292.70; **to amend** 289.54
2 (2); and **to create** 289.54 (3) of the statutes; **relating to:** prohibiting the
3 disposal in solid waste disposal facilities of dredged material that contains
4 polychlorinated biphenyls.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) regulates solid waste disposal facilities, such as landfills. Current law prohibits DNR from approving the request by an operator of a solid waste disposal facility to accept dredged materials that contain polychlorinated biphenyls (PCBs) in a concentration of less than 50 parts per million for disposal in the facility until after DNR holds a public meeting concerning the request in the community in which the facility is located. Under current law, DNR also administers a program that regulates the storage, treatment, and disposal of hazardous waste. Under that program, DNR has promulgated rules that generally prohibit the disposal in a landfill of liquid wastes containing PCBs in a concentration of 50 parts per million or more.

This bill prohibits the operator of a solid waste disposal facility from accepting dredged materials for disposal if the dredged materials contain PCBs.

Current law authorizes DNR to enter into an agreement with a municipality under which this state agrees to indemnify the municipality against liability resulting from the municipality's acceptance for disposal of dredged materials that are from the Great Lakes basin and are contaminated with PCBs. This bill eliminates that authority.

