

103D CONGRESS  
1ST SESSION

# H. R. 2189

To provide for a delay in the effective date of certain regulations applicable to municipal solid waste landfills under the Solid Waste Disposal Act.

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IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1993

Mr. SLATTERY introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To provide for a delay in the effective date of certain regulations applicable to municipal solid waste landfills under the Solid Waste Disposal Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Municipal Solid Waste  
5       Landfill Relief Act of 1993”.

6       **SEC. 2. EXEMPTION OF CERTAIN EXISTING FACILITIES**  
7                       **FROM MEETING REVISED CRITERIA FOR**  
8                       **LANDFILLS.**

9       (a) EXEMPTION.—During the 6-month period com-  
10       mencing October 9, 1993, all municipal solid waste land-

1 fills existing as of October 8, 1993, which meet the re-  
2 quirements of the criteria applicable as of January 1,  
3 1993, to such landfills under section 4004(a) of the Solid  
4 Waste Disposal Act (42 U.S.C. 6944(a)) (as required by  
5 section 4010(c) of such Act) shall be exempt from any re-  
6 vised criteria established for such landfills.

7 (b) EXTENSION.—The Administrator of the Environ-  
8 mental Protection Agency may upon application by a State  
9 extend the exemption as provided in subsection (a) to  
10 landfills in such State for up to an additional 12-month  
11 period but not beyond April 1, 1995, if the Administrator  
12 determines that the State has made a good faith effort  
13 in complying with the Solid Waste Disposal Act. In mak-  
14 ing this determination, the Administrator shall consider  
15 each of the following:

16 (1) Whether the State has submitted its Sub-  
17 title D Program for approval by October 1, 1993.

18 (2) Whether counties within the State have  
19 completed development of solid waste management  
20 plans.

21 (3) Whether counties have begun implementa-  
22 tion of their solid waste management plans.

23 (4) Whether counties within the State have ne-  
24 gotiated or begun negotiations for interlocal agree-

1       ments for joint disposal of waste generated within  
2       the counties.

3       (c) EXCEPTIONS.—No extension under this sub-  
4 section shall apply to—

5           (1) any landfill at which total waste receipts ex-  
6       ceed 100 tons per day on average over the term of  
7       the extension;

8           (2) any landfill which accepts wastes other than  
9       municipal solid waste;

10          (3) landfills which have expanded laterally, or  
11       which place the waste into a new unit that is not in  
12       compliance with the liner standards established pur-  
13       suant to regulations of the Administrator under 40  
14       C.F.R. 258.40 or with an approved State alternative  
15       that meets the performance standard of 40 C.F.R.  
16       258.40.

17       (d) PRIOR CRITERIA APPLICABLE DURING EXEMP-  
18 TION PERIOD.—Landfills exempt from revised criteria as  
19 provided in this section shall, during the exemption period,  
20 be subject to the criteria applicable to such landfills as  
21 of January 1, 1993.

22       (e) EFFECTIVE DATE OF REVISED CRITERIA.—After  
23 the expiration of the exemption under this section, all mu-  
24 nicipal solid waste landfills shall be subject to the revised  
25 criteria established for such landfills under section

- 1 4004(a) of the Solid Waste Disposal Act (42 U.S.C.
- 2 6944(a)) or any subsequent revised criteria.

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