

104TH CONGRESS
1ST SESSION

H. R. 423

To amend subtitle C of the Solid Waste Disposal Act to establish safety zones around Federal prisons in which certain facilities may not be permitted.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1995

Mr. CLINGER introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend subtitle C of the Solid Waste Disposal Act to establish safety zones around Federal prisons in which certain facilities may not be permitted.

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. PERMITS FOR TSD FACILITIES NEAR FEDERAL**
4 **PRISONS.**

5 Section 3005 of the Solid Waste Disposal Act is
6 amended by adding the following new subsection at the
7 end thereof:

8 “(k) FACILITIES NEAR FEDERAL PRISONS.—(1)
9 After the date of the enactment of this subsection, no per-
10 mit may be issued under this section for the operation of

1 any new off site hazardous waste incinerator, or any other
2 new off site hazardous waste treatment, storage, or dis-
3 posal facility if—

4 “(A) such incinerator or other facility is located
5 within a 2-mile radius of the facility boundary of
6 any Federal prison, and

7 “(B) an accident, such as a spill, explosion, or
8 accidental release of hazardous substances, at such
9 incinerator or other facility could require evacuation
10 of prisoners or other nearby residents.

11 “(2) As used in this subsection, the terms ‘new off
12 site hazardous waste incinerator’ and ‘new off site hazard-
13 ous waste treatment, storage, or disposal facility’ mean
14 an incinerator or hazardous waste treatment, storage, or
15 disposal facility—

16 “(A) which accepts hazardous waste that is not
17 generated at the site at which such incinerator or
18 other facility is located, and

19 “(B) for which a permit under this section is is-
20 sued after the date of enactment of this subsection.

21 Such terms shall not include any facility existing on such
22 date of enactment.”.

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