

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4870

To establish certain rules for Surface Transportation Board approval of waste management company applications to become rail carriers.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2006

Mrs. KELLY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish certain rules for Surface Transportation Board approval of waste management company applications to become rail carriers.

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. FINAL DECISION.**

4       The decision of the Surface Transportation Board in  
5       its Docket Number 34734 shall be the final decision re-  
6       garding the application of Northeast Interchange Railway  
7       with respect to the rail line in Croton-on-Hudson, New  
8       York.

1 **SEC. 2. LIMITATION ON CERTAIN WASTE TRANSPORTATION**  
2 **APPLICATIONS.**

3 The Surface Transportation Board shall not approve  
4 a lease and operation exemption application, by a company  
5 operating less than 1,700 feet of track, for the purpose  
6 of hauling waste unless the Surface Transportation Board  
7 has conducted a public hearing in the jurisdiction normally  
8 exercising regulatory control over the transportation of  
9 waste.

10 **SEC. 3. MAJORITY VOTE.**

11 The Surface Transportation Board shall not approve  
12 a lease and operation exemption application by a company  
13 for the purpose of hauling waste without a majority vote  
14 of the full Surface Transportation Board.

15 **SEC. 4. COMPLIANCE WITH STATE AND LOCAL LAW.**

16 (a) IN GENERAL.—The Surface Transportation  
17 Board shall require a company that becomes a rail carrier  
18 (within the meaning of section 10102(5) of title 49,  
19 United States Code) for the purpose of hauling waste to  
20 comply with all applicable State and local zoning laws.

21 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-  
22 fect 30 days after the date of enactment of this Act.

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