

1 IN THE HOUSE

BY KOPONEN

2

HOUSE BILL NO. 516

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to hazardous materials and hazardous
wastes."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 18.70.310(a) is repealed and reenacted to read:

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(a) A business or government agency that handles hazardous
materials or hazardous wastes shall post placards in accordance with
regulations adopted under this section. A business or agency located
in a municipality shall use placards provided by the municipality.
Any other business or agency shall use placards provided by the De-
partment of Public Safety, division of fire prevention.

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* Sec. 2. AS 18.70.310(b) is amended to read:

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(b) The Department of Public Safety, division of fire prevention
shall adopt the National Fire Protection Association 704 M system of
[UNITED STATES DEPARTMENT OF TRANSPORTATION] warning placards for
hazardous materials and hazardous wastes. A municipality [THAT ESTAB-
LISHES A PROGRAM FOR THE REPORTING OF HAZARDOUS MATERIALS AND HAZARD-
OUS WASTES] may, with the approval of the Department of Public Safety,
division of fire prevention, adopt and use an alternative design for
warning placards.

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* Sec. 3. AS 18.70.310(c) is amended to read:

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(c) The Department of Public Safety shall adopt regulations for
the posting of placards that will give adequate warning to the public
and to emergency response personnel of the type of hazardous materials
and hazardous wastes. A municipality that adopts placarding

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1 regulations shall adopt the Department of Public Safety regulations or
2 regulations that are more stringent.

3 * Sec. 4. AS 18.70.310(e) is amended to read:

4 (e) In this section,

5 (1) "handles," "hazardous material," and "hazardous waste"
6 have the meanings given in AS 29.35.590;

7 (2) "municipality" means a municipality that establishes a
8 program for the reporting and placarding of hazardous materials and
9 hazardous wastes.

10 * Sec. 5. AS 29.35.500(a) is amended to read:

11 (a) If a municipality establishes a program for the reporting of
12 hazardous materials and hazardous wastes, then the municipality shall
13 require a business or a government agency that handles hazardous
14 materials or hazardous wastes to submit to a designated person or
15 office of the municipality, in a form approved [PROVIDED] by the
16 Department of Public Safety, division of fire prevention, an inventory
17 of the hazardous materials and hazardous wastes the business or gov-
18 ernment agency handles.

19 * Sec. 6. AS 29.35.500(c) is amended to read:

20 (c) The following quantities of hazardous materials and hazard-
21 ous wastes shall be reported in an inventory required under this
22 section, and the division of fire prevention or a municipality may
23 require the reporting of smaller quantities:

24 (1) any quantity of a hazardous material of the hazard
25 class of

26 (A) Poison A;

27 (B) Poison B;

28 (C) Class A explosive;

29 (D) Class B explosive;

- 1 (E) Flammable solid (dangerous when wet); or
2 (F) Radioactive;
3 (2) a consumer commodity in a quantity of more than 1,000
4 pounds;
5 (3) other hazardous materials handled, stored, used, pro-
6 cessed, or disposed of at one time and place in an aggregate quantity
7 of more than
8 (A) 500 pounds of materials of a single hazard class;
9 or
10 (B) 1,000 pounds of materials of more than one hazard
11 class;
12 (4) acute hazardous waste in a quantity of 2.2 pounds or
13 more; [AND]
14 (5) another hazardous waste in a quantity of 220 pounds or
15 more; and
16 (6) extremely hazardous substances in a quantity equal to
17 or more than the threshold planning quantity.

18 * Sec. 7. AS 29.35.500(f) is amended to read:

19 (f) A municipality that establishes a program for the reporting
20 of hazardous materials may require a business or government agency
21 that handles hazardous materials to submit a federal Occupational
22 Safety and Health Administration (OSHA) [FORM 20 () Material Safety
23 Data Sheet ()] or equivalent information for each of the materials or
24 wastes handled.

25 * Sec. 8. AS 29.35.520 is amended to read:

26 Sec. 29.35.520. FEES. A municipality may impose appropriate
27 fees to fully or partially compensate for the cost of processing
28 reports and administering inspections under AS 29.35.500 - 29.35.510
29 and the cost of providing placards under AS 18.70.310. The

1 municipality may establish a fee schedule different from the schedule
2 established by the Department of Public Safety under AS 18.70.310.

3 * Sec. 9. AS 29.35.590 is amended by adding new paragraphs to read:

4 (8) "extremely hazardous substance" means a substance
5 listed in 40 C.F.R. Part 355, Appendix A and B;

6 (9) "threshold planning quantity" means the quantity listed
7 in the column "threshold planning quantity" for a substance listed in
8 40 C.F.R. Part 355, Appendix A and B.