

H B

516





# Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-586-2345

## HB 516 Reporting of Hazardous Chemicals

In 1986, the federal Congress amended the Superfund Act to include, among other things, emergency planning and community right-to-know provisions. Title III of this Act established baseline requirements for the reporting of the type and quantities of hazardous chemicals either used or stored by both government and private industry. This is beneficial to emergency responders, who are first on the scene, and the general public.

In 1986, the Alaska Legislature established a state Community Right-to-Know program for hazardous materials and wastes. The intent was to establish guidelines so there would be consistency when local communities passed community right-to-know requirements.

HB 516 addresses several issues:

\* it changes the specific type of placard that would be used to mark buildings containing hazardous chemicals from Department of Transportation placards to National Fire Protection Association placards, a needed revision to the law because transportation markers are inappropriate for buildings.

\* it establishes threshold quantities for reporting. The reporting provisions are very similar to those recently adopted by the Municipality of Anchorage, the first Alaska local government to establish a right-to-know program. The threshold levels are generally lower than federal levels, which is appropriate for rural communities with less emergency response capability. The reporting of more information will facilitate preparedness.

The Alaska Environmental Lobby supports HB 516. It makes a needed correction regarding placarding of buildings and establishes a sound program for reporting of hazardous materials.

Issue paper prepared by Kristine Benson 4/15/88

Alaska State Legislature  
Representative Niilo Koponen

Pouch V  
Juneau, Alaska 99811  
(907) 465-4992

542 4th Avenue, Suite C  
Fairbanks, Alaska 99701  
(907) 456-8161

POSITION PAPER

CSHB 516 (HESS) "An Act relating to hazardous chemicals, hazardous materials, and hazardous wastes."

In the response to rising public concern over the growing presence of toxics and other dangerous materials in our communities and workplaces, the Legislature in 1986 enacted standards for the placarding and reporting of hazardous materials and wastes, and granting authority to municipalities to operate their own programs. Time has since overtaken this first effort, and CSHB 516 (HESS) is needed to remedy shortcomings in the original, pioneering legislation, clarify certain ambiguous areas, and bring Alaska statutes into conformity with new federal law.

Two years of experience with placarding has demonstrated that the current system, based upon models originally developed for the transportation industry, is inadequate for use in buildings, yards, and other areas. A consensus has developed among emergency responders, community groups and industry that the National Fire Protection Association 704 M system is more useful. CSHB 516 (HESS) would adopt this system as standard, while providing regulatory flexibility to accommodate those few instances where no standardized system is completely appropriate.

State law also provides for the timely notification of types and quantities of substances being handled in order to insure proper and effective emergency response planning as well as an informed citizenry. In the same year that Alaska's statute was enacted, Congress passed the Superfund Amendments and Reauthorization Act (SARA) which set federal minimum requirements for reporting. CSHB 516 (HESS) makes Alaska's statute consistent with federal law by adding the term "hazardous chemical" wherever current law speaks of hazardous materials and hazardous wastes, and by including the category of "extremely hazardous substances" in threshold planning quantities as specified in federal regulations.

CSHB 516 (HESS) also provides for regular updating of reports to emergency responders as well as timely notification of changes in the status at a facility required to report.

In response to testimony during the first hearing on this bill, CSHB 516 (HESS) addresses the special reporting needs of transshippers, who handle varying quantities and types of hazardous substances for brief periods before shipping them to other destinations. For these facilities, the bill adopts the reporting requirements now in place in Anchorage, which were developed after extensive consultation with all parties involved.



# ALASKA FIRE CHIEF'S ASSOCIATION

656 7th AVENUE • FAIRBANKS, ALASKA 99701 • TEL. (907) 459-6500

April 19, 1988

Alaska Legislature  
Health, Education and Social Services  
P.O. Box V  
Juneau, AK 99811

Attn: Niilo Koponen, Chairperson

Ref: House Bill 516

The Alaska Fire Chiefs Association is keenly aware of the ever growing problems associated with the use, transportation and storage of hazardous materials and hazardous wastes throughout our state. It is for this reason that the Association strongly supports enactment of House Bill 516 - a measure that finally will give the local emergency responders the vital information required to protect not only themselves, but also their community.

As member of the Governor's State Emergency Response Commission, I look upon House Bill 516 as a true local effort toward ensuring compliance with the requirements of Title III of the Superfund Reauthorization Act of 1986.

Of significant importance in the development of this legislation was the strong effort to get industry, as well as emergency services, involvement in preparation of the final draft. Rarely do I see such commitment and Niilo's staff, especially Dana Owen, are to be highly complimented.

Government leaders throughout Alaska must realize the vast implications of complying with the federal SARA, Title III. House Bill 516 provides a most workable method for all parties - government, responders, and industry alike - to address this vital aspect of our growing economy. IT MUST RECEIVE THE SUPPORT OF THE ENTIRE LEGISLATURE THIS SESSION!

Sincerely,

William Shechter, President

WTS:nba

STATE OF ALASKA  
THE LEGISLATURE

POUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

May, 1983

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HHESS	3-29-88	8:30 a.m.
HHESS	4-20-88	8:30 a.m.