



LAWS OF ALASKA

1989

Source

CSHB 106(2d Fin)(title am)

Chapter No.

97

AN ACT

Establishing a hazardous waste reduction and recycling program; providing for hazardous waste reduction matching grants; establishing priorities for the promotion of hazardous waste management practices; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 12

Approved by the Governor: June 12, 1989
Actual Effective Date: July 1, 1989

AN ACT

Establishing a hazardous waste reduction and recycling program; providing for hazardous waste reduction matching grants; establishing priorities for the promotion of hazardous waste management practices; and providing for an effective date.

* Section 1. FINDINGS. The legislature finds that

(1) several thousand pounds of hazardous waste are added to the nation's environment for every person in the United States each year;

(2) hazardous substances have been improperly disposed of at more than 200 known or suspected sites in the state, including 40 regulated public water supply systems that have been contaminated, and more sites are discovered each year;

(3) the Congress of the United States, in adopting the Hazardous and Solid Waste Amendments in 1984, established a national policy that wherever feasible, the generation of hazardous waste should be reduced or eliminated as expeditiously as possible;

(4) by reducing or eliminating hazardous waste before it is generated, hazardous waste source reduction efforts can be more effective than traditional "end-of-the-pipe" pollution abatement strategies;

(5) hazardous waste reduction can improve workplace safety as well as lower waste management and regulatory compliance costs;

(6) while some large businesses have successfully undertaken hazardous waste reduction initiatives, small businesses have a particular

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1 need for information and technical assistance regarding opportunities to
2 reduce the generation of hazardous waste; and

3 (7) hazardous waste reduction and recycling efforts are increas-
4 ingly recognized by both business interests and the general public as an
5 economically and environmentally effective response to the increasing costs
6 and liabilities resulting from hazardous waste generation.

7 * Sec. 2. AS 46.03.299 is amended by adding a new subsection to read:

8 (f) In order to minimize the present and future threat to human
9 health and the environment, the department shall promote the following
10 hazardous waste management practices in the following order of pri-
11 ority:

- 12 (1) waste source reduction;
- 13 (2) recycling of waste;
- 14 (3) waste treatment; and
- 15 (4) waste disposal.

16 * Sec. 3. AS 46.03 is amended by adding new sections to read:

17 Sec. 46.03.316. HAZARDOUS WASTE REDUCTION AND RECYCLING PROGRAM.

18 (a) There is established within the department a hazardous waste
19 reduction and recycling program. Within the limit of funds available,
20 the department shall

21 (1) coordinate agency efforts to reduce the production of
22 hazardous waste, including air and water emissions;

23 (2) in order to implement the priorities set out in AS 46.-
24 03.299(f)(1) - (2), promote hazardous waste source reduction and
25 on-site recovery of resources from hazardous waste streams and through
26 materials recycling;

27 (3) provide for source reduction and recycling technical
28 assistance and consultation to hazardous waste generators at their
29 request;

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1 (4) sponsor or co-sponsor with public or private organiza-
2 tions technical workshops and seminars on hazardous waste reduction;

3 (5) develop a hazardous waste reduction technical reference
4 center and data base;

5 (6) establish and maintain a hazardous waste reduction
6 information referral service;

7 (7) identify and evaluate hazardous waste reduction re-
8 search needs for state businesses and industry, local governments, and
9 state agencies;

10 (8) develop, in consultation with institutions of higher
11 education in the state, courses and curricula related to hazardous
12 waste reduction; and

13 (9) issue hazardous waste reduction grants under AS 46.-
14 03.317.

15 (b) In response to a request of a hazardous waste generator, a
16 representative of the department may visit the hazardous waste genera-
17 tor's site for the purpose of observing a waste generating process,
18 obtaining information relevant to waste reduction, rendering advice,
19 and making recommendations. A visit under this subsection may not be
20 regarded as an inspection or investigation. A representative of the
21 department designated to render advisory or consultative services may
22 not have enforcement authority.

23 (c) This section does not diminish the responsibility of a
24 person to comply with this chapter, AS 46.04, or AS 46.09.

25 Sec. 46.03.317. HAZARDOUS WASTE REDUCTION MATCHING GRANTS. (a)
26 A hazardous waste reduction grant account is established in the gen-
27 eral fund. It consists of appropriations made to it.

28 (b) The department may issue matching grants from money in the
29 account to businesses, local governments, industry trade associations,
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1 labor organizations, or nonprofit organizations for the purpose of
2 feasibility analysis and evaluation of ways to implement hazardous
3 waste reduction.

4 (c) Grants under this section

5 (1) must be matched on a dollar-for-dollar basis by the
6 grantee in cash or in kind;

7 (2) may not exceed \$10,000 for any single proposal or
8 project.

9 (d) The department shall establish an advisory committee, con-
10 sisting of five members, to assist the department in reviewing and
11 evaluating grant applications under this section. The advisory com-
12 mittee must include

13 (1) an officer or employee of the department;

14 (2) a representative of the University of Alaska;

15 (3) a professional civil or chemical engineer with experi-
16 ence in environmental engineering;

17 (4) an owner or representative of a small business; and

18 (5) a public member.

19 * Sec. 4. AS 46.03.900 is amended by adding a new paragraph to read:

20 (34) "hazardous waste reduction" means decreasing, avoiding,
21 or eliminating wastes that are hazardous to human health or the envi-
22 ronment through source reduction or recycling; the term does not
23 include hazardous waste treatment or hazardous waste disposal.

24 * Sec. 5. This Act takes effect July 1, 1989.