

1 COMMITTEE: Environment
2 POLICY: Hazardous Waste Management
3 TYPE OF POLICY: Existing
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5 Over the past two decades, the adage "out of sight, out of mind" has given way to a national
6 program that seeks to encourage source reduction, high-technology treatment, and secure
7 disposal of hazardous wastes. Congress enacted the Resource Conservation and Recovery
8 Act of 1976 (RCRA), the Comprehensive Environmental Response, Compensation and
9 Liability Act of 1980 (CERCLA), and subsequent amendments and reauthorizations of this
10 initial legislation to implement its national program. Such legislation requires the treatment,
11 storage and disposal of hazardous wastes and cleanup at contaminated sites so as to
12 minimize the present and future threat to human health and the environment. Despite this
13 national program, hazardous waste continues to be a significant environmental problem.
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15 The National Conference of State Legislatures (NCSL) believes that the following principles
16 must be accommodated in crafting a national solution to hazardous waste management:
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- 18 • The federal government has an appropriate role to play in crafting coherent solutions
19 to abandoned and inactive hazardous waste sites. Congress should continue to
20 finance hazardous waste site cleanup efforts through national, broad based financing
21 mechanisms that uniformly spread the costs of such cleanup efforts over a national
22 revenue base. Congress must recognize that states acting alone do not possess the
23 ability of the federal government to impose such costs nationally.
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- 25 • Because publicly owned natural resources are victims of improper hazardous waste
26 disposal, these valuable assets must be safeguarded and in many cases restored.
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- 28 • Because the current system discourages recycling by regulating many byproducts as
29 hazardous waste, a system for regulating hazardous materials destined for recycling
30 should be established.
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- Other methods for dealing with hazardous waste such as source reduction, pollution prevention, reuse and recycling should be encouraged and developed.
- The federal government must promote measures that will expedite actual site cleanups and site construction activities.

Consequently, NCSL believes that any solution to our hazardous waste problems must include the following:

- The U.S. Environmental Protection Agency (U.S. EPA) should be required to adopt policies that encourage both the hazardous waste content of products and industrial hazardous waste by-products be kept to a minimum, and that hazardous waste materials be reused, recycled or made non-hazardous whenever possible.
- The U. S. EPA should continue to fund, develop and improve hazardous waste risk assessments, toxicological profiles of priority pollutants found at Superfund sites, and consequent long term health and environmental impacts data. The work of the Agency for Toxic Substances and Disease Registry (ATSDR) should be supported and expanded. Such studies and work should be funded through disbursements from the Superfund Trust Fund or through appropriations from the general revenue fund. Any information gathered from either federal or private sources should be subject to peer review and made available as needed.
- The federal government should be required to adopt hazardous waste reduction policies applicable to federal activities and facilities to reduce waste and develop new and improved waste elimination technologies. Such policies should include federal procurement guidelines that permit suppliers to modify their manufacturing processes to accommodate pollution prevention practices.
- Congress should adopt policies that promote the availability of affordable environmental liability insurance, including economic incentives for industry to establish its own voluntary insurance pool or insurance fund.

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65 • States should be allowed flexibility in devising their hazardous waste management
66 plans and regulations, including the setting of priorities.

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68 • The federal government must collect and disseminate to the public information on
69 chemical storage, use and disposal practices by government and industry.

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71 • Federal hazardous waste management laws should be vigorously enforced.

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73 • The importation of hazardous waste from foreign countries should be controlled
74 through treaties and other agreements.

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76 • Federal policies and agreements that decrease the dumping of hazardous waste in
77 developing countries should be established.

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79 • Health effects studies conducted by the federal government should be comprehensive
80 and based on established exposure standards and measurements and monitoring
81 methodology to be admissible as evidence in victims' compensation court cases.

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