Adopted	Rejected

COMMITTEE REPORT

YES: 8
NO: 0

MR. SPEAKER:

Your Committee on ***Rules and Legislative Procedures****, to which was referred* *Senate Bill 189*, *has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill* ***be amended*** *as follows:*

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-22-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. **(a)** In addition to any other requirements, a permit may not be issued under this chapter for the construction or operation of a hazardous waste facility to be used for the destruction or treatment of a chemical munition unless the person applying for the permit has demonstrated all of the following:

(1) That the destruction or treatment technology to be used at the proposed hazardous waste facility has been in operation:

(A) at a facility comparable to the proposed hazardous waste facility; and

(B) for a time sufficient to demonstrate **either:**

(i) that ninety-nine and nine thousand nine hundred ninety-nine ten thousandths percent (99.9999%) of the chemical munition processed at the comparable facility has been destroyed or treated; **or**

(ii) that the chemical munition processed at the comparable facility has been destroyed or treated to the extent equivalent to or better than that described in item (i) as measured by a scientifically valid methodology accepted by the commissioner.

(2) That monitoring data from a comparable hazardous waste facility demonstrates that there are no emissions from the comparable facility that alone or in combination with another substance present a risk of any of the following:

(A) An acute or a chronic human health effect.

(B) An adverse environmental effect.

(3) That a plan to:

(A) provide sufficient training, coordination, and equipment for state and local emergency response personnel needed to respond to possible releases of harmful substances from the proposed hazardous waste facility; and

(B) evacuate persons in the geographic area at risk from the worst possible release of:

(i) the chemical munition; or

(ii) a substance related to the destruction or treatment of the chemical munition;

from the proposed hazardous waste facility;

has been funded and developed.

(b) If the department issues a permit for a facility under this section, the department shall implement an inspection protocol for

1 **the facility to ensure that the requirements of IC 13 applicable to**
2 **the facility are met.**".
3 Renumber all SECTIONS consecutively.
(Reference is to SB 189 as printed January 23, 2004.)

and when so amended that said bill do pass.

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Representative Pelath