

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 391 Session of  
1992

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INTRODUCED BY GRUITZA, LAUGHLIN, WOZNIAK, BUTKOVITZ AND HAYDEN,  
SEPTEMBER 29, 1992

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REFERRED TO COMMITTEE ON RULES, SEPTEMBER 29, 1992

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A CONCURRENT RESOLUTION

1 Disapproving Environmental Quality Board amendments to hazardous  
2 waste regulations.

3 WHEREAS, The Environmental Quality Board published proposed  
4 amendments to the hazardous waste regulations, Pa.B. Doc. No.  
5 90-149, at 20 Pa.B. 431 (January 27, 1990); and

6 WHEREAS, The amendments to these regulations are promulgated  
7 under the authority of the act of July 7, 1980 (P.L.380, No.97),  
8 known as the Solid Waste Management Act, the act of July 28,  
9 1988 (P.L.556, No.101), known as the Municipal Waste Planning,  
10 Recycling and Waste Reduction Act, the act of October 18, 1988  
11 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, the  
12 act of June 22, 1937 (P.L.1987, No.394), known as The Clean  
13 Streams Law, the act of April 9, 1982 (P.L.314, No.89), known as  
14 the Pennsylvania Used Oil Recycling Act, section 5 of the act of  
15 January 8, 1960 (1959 P.L.2119, No.787), known as the Air  
16 Pollution Control Act and section 1920-A of act of April 9, 1929  
17 (P.L.177, No.175), known as The Administrative Code of 1929; and

1       WHEREAS, The Environmental Quality Board adopted the  
2 amendments on March 17, 1992; and

3       WHEREAS, The amendments incorporate changes made by the  
4 United States Environmental Protection Agency to the Federal  
5 waste program and clarify certain regulatory requirements and  
6 allow the Commonwealth to retain final authorization under the  
7 Resource Conservation and Recovery Act of 1976 (Public Law 94-  
8 580, 42 U.S.C. § 6901 et seq.); and

9       WHEREAS, The final form of the regulation was submitted to  
10 the Independent Regulatory Review Commission on March 31, 1992,  
11 and on April 29, 1992, the commission disapproved the  
12 regulation; and

13       WHEREAS, The Environmental Quality Board resubmitted the  
14 regulation to the Independent Regulatory Review Commission on  
15 June 16, 1992, and the commission disapproved the regulation on  
16 July 1, 1992; and

17       WHEREAS, The House of Representatives received the  
18 Independent Regulatory Review Commission's order of July 1,  
19 1992; therefore be it

20       RESOLVED (the Senate concurring), That the General Assembly  
21 disapprove the Final Form Regulation Number 7-174 of the  
22 Environmental Quality Board on hazardous waste approved on March  
23 17, 1992, and resubmitted on June 16, 1992; and be it further

24       RESOLVED, That this resolution constitutes a bar to  
25 publication under section 7(c) of the act of June 25, 1982  
26 (P.L.633, No.181), known as the Regulatory Review Act, and the  
27 Department of Environmental Resources and the Environmental  
28 Quality Board are prohibited from publishing these regulations;  
29 and be it further

30       RESOLVED, That the Environmental Quality Board, the

1 Department of Environmental Resources and the Governor be  
2 presented with this resolution and that it be published in the  
3 next available Pennsylvania Bulletin issue.