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HOUSE BILL 550

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO THE ENVIRONMENT; AMENDING THE HAZARDOUS WASTE ACT TO REMOVE ITS APPLICABILITY TO THE WASTE ISOLATION PILOT PLANT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 74-4-3.1 NMSA 1978 (being Laws 1981 (S.S.), Chapter 8, Section 3) is amended to read:

"74-4-3.1. APPLICATION OF ACT.--Nothing in the Hazardous Waste Act shall be construed to apply to any activity or substance which is subject to the Waste Isolation Pilot Plant Land Withdrawal Act, as amended, (Public Law 102-579), the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1151 et seq.), the Safe Drinking Water Act, as amended, (42 U.S.C. 300F et seq.) or the Atomic Energy Act of 1954, as amended, (42 U.S.C. 2011 et seq.) except to the extent that

underscored material = new  
[bracketed material] = del ete

underscored material = new  
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such application or regulation is not inconsistent with the requirements of such acts [~~nor shall~~]. The Hazardous Waste Act does not apply to the treatment, storage or disposal of mixed wastes certified by the United States environmental protection agency pursuant to 40 CFR 191, wastes under a permit issued pursuant to the Surface Mining Act or the federal Surface Mining Control and Reclamation Act of 1977, as amended, or to any farmer disposing of waste pesticides from his own use, provided he triple rinses each emptied pesticide container and disposes of the pesticide residues on his own farm in a manner consistent with the disposal instructions on the pesticide label. "