

Public Chapter 230

HOUSE BILL NO. 622

By Representatives Lois DeBerry, Bowers, Langster

Substituted for: Senate Bill No. 1497

By Senators Crutchfield, Gilbert, Dixon, Rochelle, Harper, Herron

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 212, Part 1, relative to hazardous waste management.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-212-108, is amended by adding the following new subsection to be appropriately designated:

() Before submitting to the department the Part B permit application for a new hazardous waste treatment storage or disposal facility permit or for a permit renewal, the applicant shall hold at least one (1) meeting with the public in order to inform the community of proposed hazardous waste management activities and to solicit questions from the community. The applicant shall submit a summary of the meeting and copies of any written comments or materials submitted at the meeting to the department as a part of the permit application. The applicant must provide public notice of the preapplication community meeting at least thirty (30) days prior to the meeting. Public notice shall include, but shall not be limited to, a visible and accessible sign at or near the facility announcing the date, time and location of the meeting, and other information as required by the department.

At the preapplication community meeting the applicant must provide a community impact statement which shall also be maintained in the facility file. The community impact statement shall include the following:

(1) a description of the facility (including a scale drawing or photograph of the facility) and the proposed hazardous waste management activities;

(2) a description of security procedures at the facility;

(3) information on hazard prevention and preparedness, including a summary of the contingency plan and arrangements with local emergency authorities;

(4) a description of procedures, structures or equipment used to prevent employee exposure, hazards during unloading, runoff from handling areas and contamination of water supplies;

(5) a description of traffic patterns, traffic volume and control, condition of access roads, and the adequacy of traffic control signals; and

(6) a description of the facility location information relative to compliance with flood plain requirements and with respect to any commercial applicant, seismic requirements.

SECTION 2. Tennessee Code Annotated, Section 68-212-108(a)(2), is amended by adding the following language:

Provided, further, that the commissioner shall not waive the requirement that a community impact statement be filed.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.