

107TH CONGRESS
1ST SESSION

H. R. 2266

To reduce the risk of the accidental release of mercury into the environment by providing for the temporary storage of private sector supplies of mercury at facilities of the Department of Defense currently used for mercury storage, to require the Administrator of the Environmental Protection Agency to appoint a task force to develop a plan for the safe disposal of mercury, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2001

Mr. ALLEN (for himself and Mr. BALDACCIO) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reduce the risk of the accidental release of mercury into the environment by providing for the temporary storage of private sector supplies of mercury at facilities of the Department of Defense currently used for mercury storage, to require the Administrator of the Environmental Protection Agency to appoint a task force to develop a plan for the safe disposal of mercury, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mercury Storage and
3 Safe Disposal Act of 2001”.

4 **SEC. 2. AUTHORITY OF DEPARTMENT OF DEFENSE TO AC-**
5 **CEPT AND STORE MERCURY PENDING ENVI-**
6 **RONMENTAL PROTECTION AGENCY DEVEL-**
7 **OPMENT OF SAFE DISPOSAL METHOD.**

8 (a) ACCEPTANCE OF MERCURY ACQUIRED BY EPA
9 ADMINISTRATOR.—Subsection (b) of section 2692 of title
10 10, United States Code, is amended by adding at the end
11 the following new paragraph:

12 “(12) The temporary storage of mercury ac-
13 quired by the Administrator of the Environmental
14 Protection Agency from private sector sources pend-
15 ing the development of one or more disposal methods
16 for mercury that ensure that the health hazards
17 from mercury are not transferred from one environ-
18 mental medium to another and that there is no re-
19 lease of mercury into the environment. Mercury ac-
20 cepted for storage under this paragraph shall be
21 stored at Department of Defense installations used
22 for the storage of mercury owned by the Depart-
23 ment.”.

24 (b) DURATION OF STORAGE.—Subsection (d)(2) of
25 such section is amended by inserting after the first sen-
26 tence the following new sentence: “In the case of the stor-

1 age of mercury under subsection (b)(12), the storage pro-
2 vided shall cease as soon as practicable after the Adminis-
3 trator of the Environmental Protection Agency certifies to
4 the Secretary of Defense that a disposal method for mer-
5 cury satisfying the criteria specified in such subsection has
6 been developed.”.

7 **SEC. 3. ACQUISITION OF MERCURY.**

8 The Administrator of the Environmental Protection
9 Agency (in this Act referred to as the “Administrator”)
10 shall acquire any store of mercury held by private sector
11 Chlor-alkali plants, other facilities who have amounts in
12 excess of 35,000 pounds, and any other sources identified
13 by the Task Force established under section 4. Such stores
14 shall be transferred to the Secretary of Defense for stor-
15 age under section 2692(b)(12) of title 10, United States
16 Code.

17 **SEC. 4. TASK FORCE.**

18 (a) ESTABLISHMENT.—Not later than 90 days after
19 the date of the enactment of this Act, the Administrator
20 shall establish a Task Force on Safe Mercury Disposal (in
21 this Act referred to as the “Task Force”).

22 (b) MEMBERSHIP.—The Task Force shall consist
23 of—

1 (1) one representative each from the Depart-
2 ment of Defense, the Department of Energy, and
3 the U.S. Fish and Wildlife Service;

4 (2) one representative from the Environmental
5 Council of States, appointed by the Administrator;

6 (3) one representative of consumer groups, ap-
7 pointed by the Administrator;

8 (4) one representative of Native American com-
9 munities, appointed by the Administrator;

10 (5) one representative of health professionals,
11 appointed by the Administrator; and

12 (6) one representative from the environmental
13 community, appointed by the Administrator.

14 (c) FUNCTIONS.—The Task Force shall—

15 (1) identify the best methods to ensure that
16 mercury is not released into the environment, after
17 exploration of appropriate potential options includ-
18 ing mercury stabilization, safe mercury disposal
19 technologies, and long-term storage;

20 (2) assess such technologies and measures for
21 safety, efficiency, cost-effectiveness, long-term dura-
22 bility, and public acceptability; and

23 (3) identify necessary research, development,
24 and demonstration of such technologies and meas-
25 ures.

1 (d) REPORTS TO CONGRESS.—

2 (1) INTERIM REPORT.—The Task Force shall
3 transmit to the Congress, not later than 1 year after
4 its first meeting, a report on its activities and con-
5 clusions.

6 (2) FINAL PLAN.—Not later than January 1,
7 2003, the Task Force shall prepare and transmit to
8 the Congress and to the Administrator a final plan
9 for safe mercury disposal, which shall provide for the
10 stabilization or other appropriate methods of retiring
11 the mercury. Such plan shall ensure that the health
12 hazards from mercury are not transferred from one
13 environmental medium to another and that there is
14 no release of mercury into the environment, and
15 shall provide for the involvement of States and the
16 public.

17 **SEC. 5. EXECUTION OF PLAN.**

18 The Administrator shall carry out research, develop-
19 ment, and demonstration recommended by the Task
20 Force, and shall provide for the disposal of mercury stored
21 under section 2692(b)(12) of title 10, United States Code,
22 and other mercury in the possession of the United States
23 Government, in accordance with the plan prepared under
24 section 4(d)(2).

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