

COUNCIL OF THE DISTRICT OF COLUMBIA

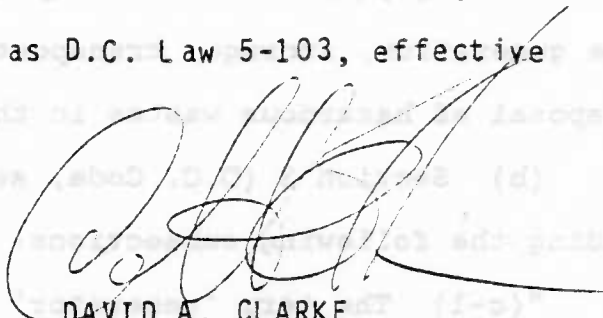
NOTICE

D.C. LAW 5-103

"Hazardous Waste Management Amendments Act  
of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-381 on first and second readings, April 30, 1984 and May 15, 1984, respectively. Following the signature of the Mayor on June 6, 1984, this legislation was assigned Act No. 5-144, published in the June 22, 1984 edition of the D.C. Register, (Vol. 31 page 3032) and transmitted to Congress June 8, 1984 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-103, effective August 10, 1984.



DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 8,11,12,13,14,15,18,19,20,21,22,25,26,27,28,29  
July 23,24,25,26,27,30,31  
August 1,2,3,6,7,8,9

EFFECTIVE DATE AUG 10 1984

D.C. ACT 5 - 1 4 4

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN - 6 1984

To amend the District of Columbia Hazardous Waste Management Act of 1977 to clarify and to change the sanctions in the law governing the management of hazardous waste.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Hazardous Waste Management Amendments Act of 1984".

Sec. 2. The District of Columbia Hazardous Waste Management Act of 1977, effective March 16, 1978 (D.C. Law 2-64; D.C. Code, sec. 6-701 et seq.), is amended as follows:

D.C. Code,  
sec. 6-701  
(1981 ed.)

(a) Section 2(a)(2) (D.C. Code, sec. 6-701(a)(2)) is amended to read as follows:

"(2) to establish a program of regulation over the generation, storage, transportation, treatment, and disposal of hazardous wastes in the District of Columbia."

(b) Section 3 (D.C. Code, sec. 6-702) is amended by adding the following subsections:

D.C. Code,  
sec. 6-702  
(1981 ed.)

"(c-1) The term 'generator' means any person by site whose act or process produces hazardous waste or whose act first causes a hazardous waste to be subject to regulation.

"(c-2) The term 'manifest' means the form used for identifying the quantity, composition, and the origin, routing and destination of hazardous waste during its

transportation from the point of generation to the point of disposal, treatment, or storage."

(c) Section 4 (D.C. Code, sec. 6-703) is amended as follows:

D.C. Code,  
sec. 6-703  
(1981 ed.)

(1) Section 4(a) (D.C. Code, sec. 6-703(a)) is amended by inserting before the word "store" the word "generate,".

(2) Section 4(b) (D.C. Code, sec. 6-703(b)) is amended by striking the phrase "one (1) year" and by inserting the phrase "ten (10) years" in its place.

(d) Section 6(a)(1)(B) (D.C. Code, sec. 6-705(a)(2)) is amended by inserting the word "generation," in front of the word "storage".

D.C. Code,  
sec. 6-705  
(1981 ed.)

(e) Section 8(a)(1) (D.C. Code, sec. 6-707(a)(1)) is amended to read as follows:

D.C. Code,  
sec. 6-707  
(1981 ed.)

"(1) enter without delay any place where hazardous wastes are or have been generated, stored, treated, transported, or disposed;"

(f) Section 10 (D.C. Code, sec. 6-709) is amended to read as follows:

D.C. Code,  
sec. 6-709  
(1981 ed.)

"Sec. 10. Suspension and Revocation of a Permit.

"(a)(1) The Mayor may suspend a permit issued in accordance with section 4 of this act if the holder of the permit is in violation of this act or the rules promulgated pursuant to the act.

"(2) Written notice of the suspension shall be served upon the affected party or the party's designated agent.

"(b)(1) Where a permit has been suspended, the person affected has the right to reapply for a permit.

"(2) If the person is able to demonstrate an ability and willingness to comply with the permit and with the provisions of this act and the rules, the Mayor may grant a new permit.

"(c)(1) Where there is a history of repeated violations or where a permit has been previously suspended, the Mayor may revoke a permit, upon a showing of subsequent violation, and upon providing the affected party, or the party's designated agent, with written notice of the intent to revoke the permit and with an opportunity for a hearing prior to revocation.

"(2) The revocation shall take effect fifteen (15) days after the notice has been given, unless a written request for a hearing is received by the Mayor within that period.

"(d) The Mayor may immediately revoke a permit upon an initial violation of the act or the rules where the violation presents an imminent and substantial endangerment to the public health, the public welfare, or the environment."

(g) Section 11 (D.C. Code, sec. 6-710) is amended to read as follows:

"Sec. 11. Injunction.

"If the Mayor finds that any person is operating a storage, treatment, or disposal facility, or is generating or transporting hazardous wastes in an illegal, unsafe, or

D.C. Code,  
sec. 6-710  
(1981 ed.)

otherwise improper manner that endangers the public health, the public welfare, or the environment, the Mayor may request the Corporation Counsel to commence appropriate civil action in the Superior Court of the District of Columbia to secure a temporary restraining order, a preliminary injunction, a permanent injunction, or other appropriate relief."

(h) Section 12 (D.C. Code, sec. 6-711) is amended to read as follows:

D.C. Code,  
sec. 6-711  
Note,  
D.C. Code,  
23-101  
(1981 ed.)

"Sec. 12. Penalties.

"(a)(1) Whenever the Mayor has reason to believe that there has been a violation of this act or of the rules promulgated pursuant to this act, the Mayor may give written notice of the alleged violation to the person responsible and order the person to take the corrective measures that the Mayor considers reasonable and necessary.

"(2) The notice shall state the nature of the violation and shall allow reasonable time for the performance of the necessary corrective measures.

"(3) If a person fails to comply with the notice within the time period stated in the notice, the Mayor shall institute the actions necessary to terminate the violation.

"(b)(1) Any person who violates this act or the rules shall be liable for a civil penalty in an amount not to exceed twenty-five thousand dollars (\$25,000) for each violation.

"(2) For any violation, each day of the violation shall constitute a separate offense and the penalties

prescribed shall apply separately to each offense.

"(c)(1) Any person who knowingly violates this act or the rules shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000) or imprisonment not to exceed one (1) year, or both.

"(2) For any violation, each day of the violation shall constitute a separate offense and the penalties prescribed shall apply separately to each offense.

"(3) Prosecutions for violations of this subsection shall be brought by the Corporation Counsel."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization

Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

*Nadine P. Hunter*

Chairman  
Council of the District of Columbia

*McBain*

Mayor  
District of Columbia

APPROVED: June 6, 1984



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
Council Period Five — Second Session

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B 5-381

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 4-30-84

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Smith

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*Russell Smith*  
Secretary to the Council

5/22/84  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-15-84

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Clarke

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*Russell Smith*  
Secretary to the Council

5/22/84  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD