

~~(C) - (1) -- THE LIST REQUIRED BY SUBSECTION (B) OF THIS SECTION SHALL INCLUDE THOSE CONTROLLED HAZARDOUS SUBSTANCES THAT SHALL BE DISPOSED OF BY UTILIZING METHODS OTHER THAN LANDFILLING, SUCH AS:~~

~~(I) -- SOURCE REDUCTION;~~

~~(II) -- REUSE OR RECYCLING;~~

~~(III) -- INCINERATION;~~

~~(IV) -- TREATMENT, AND~~

~~(V) -- ANY OTHER METHOD THAT EXISTS FOR DISPOSING OF A CONTROLLED HAZARDOUS SUBSTANCE.~~

~~(2) -- IN PREPARING THE LIST, THE DEPARTMENT OR THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY ALSO SHALL CONSIDER THOSE CONTROLLED DANGEROUS SUBSTANCES THAT:~~

~~(I) -- HAVE A POTENTIAL TO MIGRATE;~~

~~(II) -- REMAIN PERSISTENT IN THE ENVIRONMENT;~~

~~(III) -- POSE A THREAT TO GROUNDWATER;~~

~~(IV) -- ARE BIO-ACCUMULATIVE, OR~~

~~(V) -- THREATEN PUBLIC HEALTH AND SAFETY THROUGH AIRBORNE TRANSPORT OF CONTROLLED HAZARDOUS SUBSTANCES.~~

(A) THIS SECTION DOES NOT APPLY TO HAWKINS POINT CONTROLLED HAZARDOUS SUBSTANCE LANDFILL UNTIL JULY 1, 1985.

(B) A GENERATOR MAY NOT DISPOSE OF A CONTROLLED HAZARDOUS SUBSTANCE UNLESS THE GENERATOR DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT:

(1) RECOVERY POSSIBILITIES HAVE BEEN CONSIDERED; AND

(2) THE CONTROLLED HAZARDOUS SUBSTANCE CANNOT BE REASONABLY TREATED FURTHER TO REDUCE THE VOLUME OF OR THE HAZARD THAT THE CONTROLLED HAZARDOUS SUBSTANCE POSES TO THE ENVIRONMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

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