

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “requiring the Department of the Environment to establish” and substitute “establishing a”; in line 4, strike “fees” and substitute “fee”; in line 8, after the first “to” insert “analyze the security at their facilities in accordance with certain standards,”; in the same line, strike “measures” and substitute “information,”; in the same line, after “Department” insert “of the Environment on or before certain dates; exempting counties and municipal corporations from the requirement to submit certain fees”; in line 9, strike “approve” and substitute “adopt”; in line 12, after “documents” insert “except under certain circumstances”; in the same line, after the second semicolon insert “prohibiting a person from knowingly submitting certain false information;”; in line 14, strike “affect the availability of other penalties and remedies” and substitute “relieve a facility from any other reporting requirement”; and in line 15, after the semicolon insert “prohibiting the Department from adopting certain regulations;”.

AMENDMENT NO. 2

On page 4, in line 32, after “(B)” insert “(1)”; after line 33, insert:

“(2) “FACILITY” DOES NOT INCLUDE:

(I) A RAILROAD, RAIL TRAIN, OR RAIL CAR REGULATED UNDER 49 U.S.C. SUBTITLE IV, PART A; OR

(II) A RETAIL DISTRIBUTOR WHOSE PRINCIPAL BUSINESS IS TO SELL OR OFFER FOR SALE, AT THE RETAIL LEVEL, COMMERCIAL FERTILIZER INTENDED FOR AGRICULTURAL USE.”;

in line 34, after “(C)” insert “(1)”; and after line 36, insert:

(Over)

“(2) “HAZARDOUS MATERIAL” DOES NOT INCLUDE A SUBSTANCE THAT IS EXEMPT OR EXCLUDED UNDER 40 C.F.R. 68.125 AND 40 C.F.R. 68.126.”.

AMENDMENT NO. 3

On page 5, in line 16, after “(3)” insert “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION.”; in the same line, strike “THE” and substitute “A”; in the same line, strike “REQUIRED UNDER THIS SUBTITLE” and substitute “OF \$2,500 TO THE DEPARTMENT”; in line 17, after “(D)” insert “COUNTIES AND MUNICIPAL CORPORATIONS ARE EXEMPT FROM SUBMITTING THE FEE REQUIRED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(E) THE FEES RECEIVED UNDER SUBSECTION (C)(3) OF THIS SECTION SHALL BE PAID INTO A SEPARATE ACCOUNT IN THE COMMUNITY RIGHT-TO-KNOW FUND.

(F)”;

in the same line, strike “NOTIFICATIONS” and substitute “SUBMISSIONS”; in line 25, after “ANY” insert “INVESTIGATION AND”; and in line 36, before “ON” insert “(A)”.

AMENDMENT NO. 4

On page 6, after line 18, insert:

“(B) INSTEAD OF THE STANDARDS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT MAY ADOPT HAZARDOUS MATERIAL SECURITY STANDARDS THAT CONFORM TO A NATIONAL INDUSTRY SECURITY CODE THAT IS AT LEAST AS STRINGENT AS THE STANDARDS PROVIDED IN SUBSECTION (A) OF THIS SECTION.”;

in line 29, strike “(1)”; and in line 31, strike “(2)” and substitute “(B)”.

On pages 6 and 7, strike in their entirety the lines beginning with line 34 on page 6 through line 8 on page 7, inclusive.

On page 7, in line 21, strike “FINE” and substitute “CIVIL PENALTY”.