

CHAPTER 78

HEALTH

HOUSE BILL 93-1156

BY REPRESENTATIVES Thiebaut, Benavidez, R. Hernandez, Pierson, Romero, Rupert, Salaz, Williams, and Wright;
also SENATORS Pastore, Casey, Cassidy, Gallagher, Johnson, Mares, Martinez, Mendez, Peterson, L. Powers, Ruddick, and
Weissmann.

AN ACT

CONCERNING ELIMINATION OF THE EXEMPTION FROM THE REQUIREMENTS OF THE "STATE HAZARDOUS WASTE INCINERATOR SITING ACT" PROVIDED FOR FACILITIES PERFORMING DESTRUCTION OF OBSOLETE CHEMICAL MUNITIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 25-15-502 (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

25-15-502. Definitions. As used in this part 5, unless the context otherwise requires:

~~(3)~~ (3) (a) "Hazardous waste incinerator" means:

~~(a)~~ (I) Any hazardous waste incinerator as defined in regulations of the commission promulgated pursuant to section 25-15-302; or

~~(b)~~ (II) Any boiler or industrial furnace that burns hazardous waste, as defined in subpart B of part 260 of title 40, code of federal regulations, as from time to time amended, until such time as the commission, pursuant to section 25-15-302, promulgates a definition of boiler or industrial furnace, at which time such state definition shall operate in lieu of the foregoing federal definition. Such term shall include, but is not limited to, any cement kiln, lime kiln, aggregate kiln, or blast furnace.

~~(b)~~ (b) The term "HAZARDOUS WASTE INCINERATOR" excludes any facility for incineration of a hazardous waste performing on-site remediation pursuant to the federal "Comprehensive Environmental Response, Compensation, and Liability Act".

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~and any facility performing destruction of obsolete chemical munitions pursuant to international treaty.~~

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 3, 1993