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SENATE BILL 184

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO THE ENVIRONMENT; AMENDING THE HAZARDOUS WASTE ACT
TO REMOVE ITS APPLICABILITY TO THE WASTE ISOLATION PILOT
PLANT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 74-4-3.1 NMSA 1978 (being Laws 1981
(1st S.S.), Chapter 8, Section 3) is amended to read:

"74-4-3.1. APPLICATION OF ACT.--Nothing in the
Hazardous Waste Act shall be construed to apply to any
activity or substance [~~which~~] that is subject to the Waste
Isolation Pilot Plant Land Withdrawal Amendment Act, as
amended, (Public Law 102-579), the Federal Water Pollution
Control Act, as amended, (33 U.S.C. 1151 et seq.), the Safe
Drinking Water Act, as amended, (42 U.S.C. 300F et seq.) or
the Atomic Energy Act of 1954, as amended, (42 U.S.C. 2011 et
seq.) except to the extent that such application or

.131323.1

underscored material = new
~~[bracketed material]~~ = delete

underscoring material = new
~~[bracketed material] = delete~~

1 regulation is not inconsistent with the requirements of such
2 acts [~~nor shall~~]. The Hazardous Waste Act does not apply to
3 the treatment, storage or disposal of mixed wastes certified
4 by the United States environmental protection agency pursuant
5 to 40 CFR 191 or wastes under a permit issued pursuant to the
6 Surface Mining Act or the federal Surface Mining Control and
7 Reclamation Act of 1977, as amended, or to any farmer
8 disposing of waste pesticides from his own use, provided he
9 triple rinses each emptied pesticide container and disposes
10 of the pesticide residues on his own farm in a manner
11 consistent with the disposal instructions on the pesticide
12 label."