

S 1486

POPs, LRTAP POPs, and PIC Implementation Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Jul 29, 2003

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 481.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 481. (Apr 29, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/1486>

Sponsor

Name: Sen. Chafee, Lincoln [R-RI]

Party: Republican • State: RI • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 29, 2003

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Apr 29, 2004

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

POPs, LRTAP POPs, and PIC Implementation Act of 2003 - **Title I: Implementation of International Agreements** - (Sec. 101) Amends the Toxic Substances Control Act (TSCA) to implement the Stockholm Convention on Persistent Organic Pollutants (POPs Convention), the Protocol on Persistent Organic Pollutants to the Convention on Long-range Transboundary Air Pollution ( POPs Protocol), and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC Convention).

Prohibits (subject to certain exemptions) the manufacture, processing, distribution in commerce for export, use, or disposal of specified chemical substances or mixtures covered by the POPs Convention or Protocol.

Establishes notice, information collection, and public reporting requirements in connection with the proposed listing of chemical substances or mixtures in the Annex to the POPs Convention or Protocol. Authorizes the Administrator of the Environmental Protection Agency to commence rulemaking in connection with such listing.

Authorizes citizens to petition the Administrator to commence rulemaking prohibiting or restricting the manufacture, processing, or distribution in commerce for export, use, or disposal of a listed chemical substance or mixture one year after such listing. Authorizes civil actions in U.S. district court to compel rulemaking if the Administrator denies a citizen's petition or fails to act on such petition within 90 days of filing.

Harmonizes conflicting POPs Convention and Protocol provisions of this Act by requiring the more stringent provision to apply.

Requires the Administrator to: (1) publish notice of the chemical substances and mixtures prohibited by this Act and related exemptions; and (2) maintain a publicly available record integrating the information in such notice with any information published under the Federal Insecticide, Fungicide and Rodenticide Act.

Directs the Administrator, in cooperation with the Secretary of State and any other appropriate Federal agency heads, to participate in international efforts to improve the regulation of chemical substances and mixtures and implement the POPs Protocol, PIC Convention, and POPs Convention.

Requires exporters of chemical substances or mixtures listed on Annex III of the PIC Convention to comply with export conditions or restrictions identified by the Administrator. Requires exporters to provide to the Administrator notice of intent to export chemical substances or mixtures that: (1) are determined to be banned or severely restricted; (2) are identified as being listed on Annex III of the PIC Convention in a public notice; or (3) constitute a POPs chemical substance or mixture allowed to be exported under the exemptions set forth in this Act. Establishes labeling and shipping document requirements for covered chemical substances or mixtures.

Requires the Administrator, with the concurrence of the Secretary of State, to determine whether a chemical substance or mixture is banned or severely restricted within the United States and to issue notice of the Administrator's determination to the Secretariat of the PIC Convention and to the public.

Directs the Administrator to: (1) forward copies of notices of intent to export to the designated national authority of the importing foreign state; and (2) inform the public of any chemical substance or mixture that is listed on Annex III to the PIC Convention and of any applicable condition or restriction of an importing state.

Harmonizes conflicting POPs Convention and Protocol provisions with PIC Convention provisions of this Act by requiring

the more stringent provision to apply.

Authorizes any person to file a petition for judicial review of regulations promulgated under this Act in the U.S. Court of Appeals for the District of Columbia or the U.S. court of appeals for the circuit in which the person resides or maintains a principal place of business.

(Sec. 102) Prevents chemical substances, mixtures, or articles from being exported if their use is prohibited domestically.

(Sec. 103) Makes TSCA enforcement provisions applicable to provisions of this Act which implement international agreements.

## Actions Timeline

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- **Apr 29, 2004:** Committee on Environment and Public Works. Reported by Senator Inhofe with an amendment in the nature of a substitute. With written report No. 108-256.
- **Apr 29, 2004:** Committee on Environment and Public Works. Reported by Senator Inhofe with an amendment in the nature of a substitute. With written report No. 108-256.
- **Apr 29, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 481.
- **Jul 30, 2003:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 29, 2003:** Introduced in Senate
- **Jul 29, 2003:** Sponsor introductory remarks on measure. (CR S10151-10152)
- **Jul 29, 2003:** Read twice and referred to the Committee on Environment and Public Works.