

Re
119

AMENDMENT TO H.R. 2647, AS REPORTED
OFFERED BY MR. BISHOP OF NEW YORK AND MS.
SHEA-PORTER OF NEW HAMPSHIRE

At the end of subtitle B of title III (page 94, after
line 2), add the following new section:

1 **SEC. 316. PROHIBITION ON DISPOSING OF WASTE IN OPEN-**
2 **AIR BURN PITS.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall
4 prohibit the disposal of covered waste in an open-air burn
5 pit during a contingency operation lasting longer than one
6 year.

7 (b) **REGULATIONS.**—Not later than one year after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall prescribe regulations to carry out this section.

10 (c) **REPORT.**—Not later than 180 days after the date
11 of the enactment of this Act, the Secretary shall submit
12 to Congress a report on the use of open-air burn pits in
13 contingency operations. The report shall include—

14 (1) a description of each type of waste burned
15 in such open-air burn pits; and

16 (2) a discussion of the feasibility of alternative
17 methods of disposing of covered waste, including—

1 (A) a plan to use such alternative methods;

2 or

3 (B) if the Secretary determines that no
4 such alternative method is feasible, a detailed
5 discussion explaining why open-air burn pits are
6 the only feasible method of disposing of such
7 waste.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “contingency operation” has the
10 meaning given that term by section 101(a)(13) of
11 title 10, United States Code.

12 (2) The term “covered waste” includes—

13 (A) hazardous waste, as defined by section
14 1004(5) of the Solid Waste Disposal Act (42
15 U.S.C. 6903(5));

16 (B) medical waste; and

17 (C) solid waste containing plastic.

