

TURA Reform – Draft Legislative Language

1. Section 11(A)(1) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: “On a schedule to be established by the department, but no more frequently than once every six years or when a new toxic substance is first used at a facility, and in either case on an even-numbered year, each large quantity toxics users shall prepare and complete a toxics use reduction plan for each facility for which they are required to file a report in that year.”
2. Section 11(D)(1) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the words “by July 1, two years after the first plan, and then according to the schedule specified by the department” and inserting in place thereof “every six years”.
3. Section 11(F) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: “Large quantity toxics users shall file a plan summary with the department on or before July 1 of the year in which a toxics use reduction plan is due.”
4. Section 12(A) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding after the last sentence the following sentence: “The continuing education requirement for initial recertification shall not exceed 45 hours.”
5. Section 12(B) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding after the last sentence the following sentence: “The continuing education requirement for initial recertification of individuals shall not exceed 36 hours.”
6. Section 12(C) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: “Certification shall be for not more than six years and shall be renewable for additional six year periods.”
7. Section 12(C) of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding after the last sentence the following sentences: “The continuing education requirement for subsequent recertification and renewal shall not exceed 36 hours per certification period for individuals certified pursuant to subsection 12(A). The continuing education requirement for subsequent recertification and renewal shall not exceed 30 hours per certification period for individuals certified pursuant to subsection 12(B).”

8. Section 19 of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after subsection (H) the following subsection:

(I) Beginning with the 2018 Fiscal Year, the fees set forth in this section shall provide for not more than one half of the annual budget necessary to administrate this chapter, with the balance of such funds to be provided from the general fund.

9. Section 19 of chapter 21I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after new subsection (I) the following subsection:

(J) The requirements to pay any fees under this Section 19 shall not be applicable to any use of a toxic substance that is mandated by law, regulation, drug or other product registration, design specification of a United States governmental authority including, but not limited to, the United States Armed Services, Department of Homeland Security or other similar United States Governmental authority, or any other legally enforceable requirement.

A toxics user shall demonstrate the applicability of the exemption by providing an affidavit identifying, to the extent permitted under applicable national security and confidentiality requirements, the governmental body whose law, regulation, registration or specification requires the use of the toxic substance.