

RESOLUTION APPROVING CLASS V

LANDFILL

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Ron Allen

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor gives approval for the construction and operation of a Class V commercial nonhazardous solid waste landfill in Tooele County known as the Wasatch Regional Solid Waste Landfill.

Highlighted Provisions:

This resolution:

▶ provides that the landfill:

- is to be operated by Wasatch Regional Solid Waste Management Corporation;
- is to be sited on 2,000 acres owned by the School and Institutional Trust Lands

Administration and optioned to Wasatch Regional Solid Waste Management Corporation;

- is to be located in Tooele County, six miles north of I-80 on County Road 128;

and

- is to receive nonhazardous waste, including municipal waste, industrial waste, construction and demolition waste, and special wastes as enumerated in the operation plan;

~~§→ [→ provides that an operation plan for the landfill has been submitted to the Department of Environmental Quality for approval; and~~

~~→ provides that the legislative and gubernatorial approval required by statute and stated in this resolution will only take effect following the granting of approval of] ←§~~



28 ~~§→ [an operation plan by the Department of Environmental Quality.]~~

28a ~~▶ provides that an operation plan for the landfill was approved by the executive~~
28b ~~secretary of the Solid and Hazardous Waste Control Board; and~~

28c ~~▶ grants approval to the Wasatch Regional Solid Waste Management Corporation~~
28d ~~and the School and Institutional Trust Lands Administration for the construction and~~
28e ~~operation of a Class V commercial nonhazardous solid waste landfill. ←§~~

29 **Special Clauses:**

30 None



32 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

33 WHEREAS, the Wasatch Regional Solid Waste Management Corporation desires to
34 construct and operate a Class V commercial landfill to receive nonhazardous solid waste for
35 treatment, storage, or disposal as defined in Section 19-6-102 of the Utah Code;

36 WHEREAS, the facility is to be located on 2,000 acres currently owned by the School
37 and Institutional Trust Lands Administration and optioned to Wasatch Regional Solid Waste
38 Management Corporation;

39 WHEREAS, the site of the proposed landfill is located in Tooele County, six miles
40 north of I-80 on County Road 128;

41 WHEREAS, Wasatch Regional Solid Waste Management Corporation has been issued
42 a permit for operation of a Class I municipal solid waste disposal facility on the site that would
43 receive solely nonhazardous municipal waste under contracts with local governments;

44 WHEREAS, Section 19-6-108 of the Utah Code requires that an applicant for authority
45 to construct a commercial landfill receive approval from the Utah State Legislature and the
46 Governor of the state as a part of the approval process;

47 WHEREAS, Section 19-6-108 also requires that an applicant for authority to operate a
48 commercial landfill receive approval from the executive secretary of the Solid and Hazardous
49 Waste Control Board within the Department of Environmental Quality prior to receiving
50 legislative and gubernatorial approval;

51 WHEREAS, Wasatch Regional Solid Waste Management Corporation and the School
52 and Institutional Trust Lands Administration have submitted a proposed operation plan for the
53 Wasatch Regional Solid Waste Landfill as a Class V commercial nonhazardous solid waste
54 landfill to the Department of Environmental Quality, and ~~§→ [the Department of Environmental~~
55 ~~Quality has made a draft permit available for public comment as part of the approval process;~~

56 ~~WHEREAS, the public comment period ends February 17, 2005; and] ←§~~

56a **§→ the operation plan was approved by the executive secretary of the Solid and Hazardous**
56b **Waste Control Board on February 18, 2005 and this approval has an effective date of**
56c **February 18, 2005; and ←§**

57 WHEREAS, the proposed operation plan for the Wasatch Regional Solid Waste
58 Landfill would allow the landfill to receive nonhazardous waste, including municipal waste,

59 industrial waste, construction and demolition waste, and special wastes as enumerated in the
60 operation plan, and as defined in Administrative Rule R315-315, Special Waste Requirements:
61 NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring
62 therein, that Wasatch Regional Solid Waste Management Corporation and the School and
63 Institutional Trust Lands Administration be granted approval to construct and operate a Class V
64 commercial nonhazardous solid waste landfill known as Wasatch Regional Solid Waste
65 Landfill ~~§~~ → [; but only subject to and contingent upon the Department of Environmental Quality
66 having granted final approval for and issuing the permit for the landfill on or before July 1,
67 2005] ← ~~§~~ .

Legislative Review Note
as of 2-16-05 11:47 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SCR002

Resolution Approving Class V Landfill

18-Feb-05

4:47 PM

State Impact

Provisions of this resolution can be handled within existing budgets.

Individual and Business Impact

The company and its owners could be impacted by provisions of this resolution.

Office of the Legislative Fiscal Analyst