

1                                   **RESOLUTION APPROVING INDUSTRIAL**

2   **WASTE PERMIT**

3   1998 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Beverly Ann Evans**

6   A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR  
7   GRANTING THE ENVIROTECH INC. COMPANY AUTHORITY TO OPERATE A  
8   COMMERCIAL NONHAZARDOUS INDUSTRIAL WASTE DISPOSAL FACILITY,  
9   DEPENDENT UPON PRIOR APPROVAL FROM THE DEPARTMENT OF  
10  ENVIRONMENTAL QUALITY.

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

12           WHEREAS Envirotech Inc. desires to operate a Class V Injection Well which would be  
13 a commercial solid waste disposal facility receiving nonhazardous, industrial waste injectate;

14           WHEREAS the injection well site is on private land, owned by the applicant Envirotech  
15 Inc., and this private land is located within the exterior boundary of the Uintah and Ouray Indian  
16 Reservation;

17           WHEREAS this site is known as the Blue Bench 13-1 site and is located approximately  
18 four miles north of the city of Duchesne, in Duchesne County, Utah;

19           WHEREAS Section 19-6-108 of the Utah Code requires that an entity receive approval  
20 from the Utah State Legislature and the Governor of the State as a part of the approval process  
21 necessary to receive authority to construct and operate a commercial solid waste facility in Utah;

22           WHEREAS Section 19-6-108 of the Utah Code requires that an applicant for authority to  
23 construct a commercial solid waste facility must obtain approval for the facility from the executive  
24 secretary of the Solid and Hazardous Waste Control Board within the Department of  
25 Environmental Quality prior to receiving approval by the Legislature and the Governor;

26           WHEREAS Section 19-6-108 of the Utah Code requires that the applicant also obtain  
27 approval from the local governmental entity within whose boundaries the site is located; and

1           WHEREAS Envirotech, Inc. has submitted an application to the Department of  
 2 Environmental Quality, § ~~[but]~~ **AND** § the application process will likely § ~~[extend beyond the~~  
 2a ~~final day]~~ **RESULT IN APPROVAL BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY BEFORE**  
 2b **THE END** § of the

3           § ~~[1997]~~ **1998** § General Session of the Legislature:

4           NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring  
 5 therein, that Envirotech Inc. is granted approval to construct the Blue Bench 13-1 Class V  
 6 Injection Well facility, but such approval is dependent upon § ~~[-and shall be considered as subsequent~~  
 7 ~~to]~~ § the approval required under Section 19-6-108 from the executive secretary of the Solid and  
 8 Hazardous Waste Control Board for the construction and operation plan for the facility § ~~[-and~~  
 9 ~~dependent upon and subsequent to the approval required by the local governmental entity having~~  
 10 ~~jurisdiction over the site]~~ § .

**Legislative Review Note**  
**as of 2-9-98 11:10 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**