

**CONCURRENT RESOLUTION APPROVING
SOLID WASTE PERMIT**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Thomas V. Hatch

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor gives approval for the operation of a landfill to receive specified nonhazardous solid waste.

Highlighted Provisions:

This resolution:

- ▶ addresses the proposed Solitude Landfill, that is owned by Green River Landfill, LLC and Landfill Investors, LLC, and that is located in the city of Green River, in Emery County;

- ▶ grants statutorily required approval of the operating plan, as approved by the Department of Environmental Quality, and allows the Solitude Landfill to operate as a Class V landfill and receive nonhazardous waste, including municipal waste, industrial waste, construction and demolition waste, and special wastes as enumerated;

- ▶ reiterates that the Solitude Landfill is required under state law to apply for and receive approval from the Department of Environmental Quality in order to receive an exemption from the daily cover requirement; and

- ▶ reiterates that the Solitude Landfill is required under state law to apply for and receive approval from the Department of Environmental Quality if the landfill desires to change a specified element of its waste stream.

Special Clauses:

None

S.C.R. 1

Enrolled Copy

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

WHEREAS, Green River Landfill, LLC and Landfill Investors, LLC desire to construct and operate a Class V commercial landfill to receive nonhazardous solid waste for treatment, storage, or disposal as defined in Section 19-6-102 of the Utah Code;

WHEREAS, the facility is to be located at the site currently known as the Solitude Landfill;

WHEREAS, this site is an irregularly shaped 320-acre parcel in Section 22, Township 21 South, Range 17 East, Salt Lake Base and Meridian, and is located approximately nine miles east of the Green River, in the city of Green River, in Emery County;

WHEREAS, Green River Landfill, LLC and Landfill Investors, LLC currently hold a permit to operate at this site a noncommercial nonhazardous solid waste facility that would receive solely municipal waste under contract with local governments;

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

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

WHEREAS, Green River Landfill, LLC and Landfill Investors, LLC have submitted a proposed operation plan for the Solitude Landfill as a Class V commercial nonhazardous solid waste landfill to the Department of Environmental Quality, and the operation plan was approved by the executive secretary of the Solid and Hazardous Waste Control Board on July 11, 2003 and this approval was effective on July 15, 2003;

WHEREAS, the approved operating plan for the Solitude Landfill allows the landfill to receive nonhazardous waste, including municipal waste, industrial waste, construction and demolition waste, and special wastes as enumerated in the operation plan and in the plan approval of the executive secretary, and as defined in Administrative Rule R315-315, Special Waste

Requirements;

WHEREAS, the approved operating plan requires under Title 19, Environmental Quality Code, that the landfill provide daily cover, and this requirement in the plan may be changed only upon application to the Department of Environmental Quality, review by the department of the effectiveness of the proposed alternative to the daily cover, and a determination by the department that the alternative meets the landfill maintenance requirements no less effectively than a daily cover; and

WHEREAS, the approved operating plan specifically excludes acceptance by the landfill of industrial waste directly from other generators, and the Green River Landfill, LLC and Landfill Investors, LLC are required to submit an application and receive approval from the department in order to change the operating plan to allow acceptance of this waste:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring therein, that Green River Landfill, LLC and Landfill Investors, LLC are granted approval to construct and operate a Class V commercial nonhazardous solid waste landfill known as the Solitude Landfill in Green River, Utah.