

**RESOLUTION REGARDING CONSTRUCTION
OF WASTE FACILITY**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Bill Wright

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor gives approval for the construction and operation of a Class VI commercial landfill to receive construction and demolition waste. The landfill is to be operated by Peck Rock & Products, LLC.

Highlighted Provisions:

This resolution:

- ▶ provides that the landfill is to be located west of Lehi and Saratoga Springs, in Utah County;
- ▶ provides that the proposed landfill is to accept construction and demolition waste as a Class VI landfill;
- ▶ provides that the site of the proposed landfill is the current site of mining operations and the landfill operation would fill the excavations created by the mining;
- ▶ provides that the landfill application has been approved by the Department of Environmental Quality; and
- ▶ provides legislative and gubernatorial approval as required by statute.

Special Clauses:

None

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

WHEREAS, Peck Rock & Products, LLC, desires to operate a Class VI commercial landfill to receive solely construction and demolition waste, as defined in Section 19-6-102 of the Utah Code, for treatment, storage, or disposal;

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WHEREAS, the site of the proposed landfill is a parcel of approximately 400 acres, located west of Lehi and Saratoga Springs in Township 6 South, Range 1 West, Section 3;

WHEREAS, the landfill facility is to be located at the site where Peck Rock & Products, LLC, is currently mining clay, limestone, sand, and gravel;

WHEREAS, excavation holes exist at this site as a result of ten years of mining activities by Peck Rock & Products, LLC, and these excavations would be used solely as construction and demolition landfill sites under the proposed operation plan;

WHEREAS, this site is located on School and Institutional Trust Land property and Peck Rock & Products, LLC, holds mineral leases at this site;

WHEREAS, Peck Rock & Products, LLC, currently holds a Class IV permit to operate at this site a private construction and demolition waste facility;

WHEREAS, under Utah Administrative Rule R315-301-2 a Class VI commercial landfill may accept only specified waste, and may not accept municipal waste;

WHEREAS, a landfill that is granted a Class VI permit would not be allowed to accept municipal waste unless it applied for a permit as a Class V commercial landfill, met all the requirements of a Class V commercial landfill, and was granted a Class V commercial landfill permit;

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

WHEREAS, Peck Rock & Products, LLC, submitted a proposed operation plan for a Class VI commercial construction and demolition waste landfill to the Department of Environmental Quality, and the Department of Environmental Quality made a draft permit available for public comment as part of the approval process; and

WHEREAS, the public comment period has ended, and the executive secretary of the Solid and Hazardous Waste Control Board has approved the operation plan of Peck Rock & Products, LLC:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring

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therein, that Peck Rock & Products, LLC, is granted approval to construct and operate a Class VI commercial construction and demolition waste landfill at the specified site to the west of Lehi and Saratoga Springs, in the State of Utah.