

1                                   **RESOLUTION REGARDING CONSTRUCTION**  
2                                                           **OF WASTE FACILITY**

3                                                                                   2004 GENERAL SESSION

4                                                                                                           STATE OF UTAH

5                                                                                                           **Sponsor: Bill Wright**

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7   **LONG TITLE**

8   **General Description:**

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

12 **Highlighted Provisions:**

13                   This resolution:

14                   ▶ provides that the landfill is to be located west of Lehi and Saratoga Springs, in Utah  
15 County;

16                   ▶ provides that the proposed landfill is to accept construction and demolition waste as  
17 a Class VI landfill;

18                   ▶ provides that the site of the proposed landfill is the current site of mining operations  
19 and the landfill operation would fill the excavations created by the mining;

20                   ▶ provides that the landfill application is currently in the statutory approval process  
21 through the Department of Environmental Quality and that this process will likely  
22 not conclude prior to the end of this General Session;

23                   ▶ provides that by statute local government approval of the proposed facility is  
24 required; and

25                   ▶ provides that the legislative and gubernatorial approval required by statute and  
26 stated in this resolution will only take effect following the granting of approval by  
27 the Department of Environmental Quality.



28 **Special Clauses:**

29           None



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

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

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

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

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

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

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

46           WHEREAS, Section 19-6-108 of the Utah Code requires that the applicant for authority  
47 to operate a commercial landfill must receive approval from the local government;

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

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

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

59 WHEREAS, the public comment period ends February 19, 2004, and the Department of  
60 Environmental Quality must then respond to all comments it receives; and

61 WHEREAS, due to the time requirements of the approval process, if the Department of  
62 Environmental Quality gives final approval for the permit to Peck Rock & Products, LLC, it  
63 likely will be after the adjournment sine die of this General Session of the Legislature:

64 NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring  
65 therein, that Peck Rock & Products, LLC, is granted approval to construct and operate a Class  
66 VI commercial construction and demolition waste landfill at the specified site to the west of  
67 Lehi and Saratoga Springs, in the State of Utah, but only subject to and contingent upon the  
68 Department of Environmental Quality having granted final approval for and issuing the permit  
69 for this landfill on or before July 1, 2004.

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**Legislative Review Note**  
as of 2-4-04 8:11 AM

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SCR002**

**Resolution Regarding Construction of Waste Facility**

*12-Feb-04*

*10:36 AM*

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**State Impact**

Provisions of this resolution can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**