

**Senator Bill Wright** proposes the following substitute bill:

**RESOLUTION REGARDING CONSTRUCTION**

**OF WASTE FACILITY**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Bill Wright**

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**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

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

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

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

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

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

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

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

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

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

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

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

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

57           NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring  
58   therein, that Peck Rock & Products, LLC, is granted approval to construct and operate a Class  
59   VI commercial construction and demolition waste landfill at the specified site to the west of  
60   Lehi and Saratoga Springs, in the State of Utah.