

**RESOLUTION REGARDING WASHINGTON  
COUNTY WASTE FACILITY**

2005 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bradley G. Last**

Senate Sponsor: Thomas V. Hatch

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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 known as the Purgatory Landfill and is to be operated by ONP, LLC.

**Highlighted Provisions:**

This resolution:

- ▶ provides that the landfill is to be located south of Washington City in Washington County, Utah;
- ▶ provides that the proposed landfill is to accept construction and demolition waste as a Class VI landfill and that the landfill will place an emphasis in its operations on recycling materials it receives;
- ▶ provides that the landfill application is currently in the statutorily required approval process through the Department of Environmental Quality and that this process will likely not conclude prior to the end of this 2005 General Session;
- ▶ provides that the required local government approval of the proposed facility has been granted; and
- ▶ provides that the legislative and gubernatorial approval required by statute and as stated in this resolution will only take effect after the end of this 2005 General Session if the granting of approval by the Department of Environmental Quality takes place on or before July 1, 2005.

**Special Clauses:**

None

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

WHEREAS, ONP, 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;

WHEREAS, the site of the proposed landfill is located south of Washington City in Washington County;

WHEREAS, the site of the proposed landfill is a parcel of approximately 57 acres, located in Section 17, Township 42 South, Range 14 West, Salt Lake Baseline and Meridian of Washington County;

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

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

WHEREAS, Section 19-6-108 also requires that an applicant for authority to construct and 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, ONP, LLC has 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 is in the process of preparing a draft permit to be made available for public comment as part of the approval process; and

WHEREAS, due to the time requirements of the approval process, if the Department of Environmental Quality gives final approval for the permit to ONP, LLC, it likely will be after the

adjournment sine die of this 2005 General Session of the Legislature:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, the Governor concurring therein, that ONP, 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 Washington City in Washington County, State of Utah, but only subject to and contingent upon the Department of Environmental Quality having granted final approval for having issued the permit for this landfill on or before July 1, 2005.