

1                   **CONCURRENT RESOLUTION APPROVING SOLID WASTE**

2                                   **FACILITY LANDFILL PERMIT**

3   2013 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: David P. Hinkins**

6                                   House Sponsor: Kay J. Christofferson

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8   **LONG TITLE**

9   **General Description:**

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

12   **Highlighted Provisions:**

13           This resolution:

- 14           ▶ addresses the proposed Five Mile Recycle Landfill, that is owned by Dunn  
15 Construction, LLC, and that is located in unincorporated Tooele County;
- 16           ▶ grants statutorily required approval of the operating plan, as approved by the  
17 Department of Environmental Quality, and allows Dunn Construction, LLC, to  
18 operate as a Class VI landfill and receive nonhazardous construction and demolition  
19 waste, inert waste, and yard waste; and
- 20           ▶ reiterates that the Five Mile Recycle Landfill is required under state law to apply for  
21 and receive approval from the Department of Environmental Quality, if the landfill  
22 desires to change a specified element of its waste stream.

23   **Special Clauses:**

24           None

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

27           WHEREAS, Dunn Construction, LLC, desires to construct and operate a Class VI  
28 commercial landfill to receive nonhazardous solid waste for disposal as defined in Section  
29 19-6-102;

30 WHEREAS, the facility is to be located in unincorporated Tooele County,  
31 approximately 4,700 feet northwest of Highway 73 and the Tooele County line;

32 WHEREAS, this site is an 84.1-acre parcel in Section 5, Township 7 South, Range 3  
33 West, Salt Lake Base and Meridian, and is located approximately 45 miles south of Salt Lake  
34 City, in Tooele County;

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

38 WHEREAS, Utah Code Section 19-6-108 also requires that an applicant for authority  
39 to operate a commercial landfill receive approval from the director of the Division of Solid and  
40 Hazardous Waste within the Department of Environmental Quality prior to receiving  
41 legislative and gubernatorial approval;

42 WHEREAS, Dunn Construction, LLC, has submitted a proposed operation plan for the  
43 Five Mile Recycle Landfill as a Class VI commercial, nonhazardous solid waste landfill to the  
44 Department of Environmental Quality, and the operation plan may be approved by the director  
45 of the Division of Solid and Hazardous Waste on March 2, 2013, with an effective approval  
46 date of March 2, 2013; and

47 WHEREAS, the approved operating plan for the Five Mile Recycle Landfill allows the  
48 landfill to receive nonhazardous construction and demolition waste, inert waste, and yard  
49 waste, as enumerated in the operation plan and in the plan approval of the director of the  
50 Division of Solid and Hazardous Waste:

51 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
52 Governor concurring therein, grant their approval to Dunn Construction, LLC, to construct and  
53 operate a Class VI commercial, nonhazardous solid waste landfill known as the Five Mile  
54 Recycle Landfill in unincorporated Tooele County, Utah.

55 BE IT FURTHER RESOLVED that Five Mile Recycle Landfill is required under state  
56 law to apply for and receive approval from the Department of Environmental Quality if the  
57 landfill desires to change a specified element of its waste stream.

