

1 **JOINT RESOLUTION APPROVING A CLASS VI**
2 **COMMERCIAL NONHAZARDOUS SOLID WASTE LANDFILL**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Gage Froerer**

6 Senate Sponsor: David P. Hinkins

8 **LONG TITLE**

9 **General Description:**

10 This resolution gives provisional legislative approval for the construction and operation
11 of a Class VI commercial nonhazardous solid waste landfill.

12 **Highlighted Provisions:**

13 This resolution:

- 14 ▶ describes the proposed landfill;
- 15 ▶ states that the operation plan will be submitted to the director of the Division of
16 Waste Management and Radiation Control for approval; and
- 17 ▶ grants provisional approval for the construction and operation of a Class VI
18 commercial nonhazardous solid waste landfill.

19 **Special Clauses:**

20 None

22 *Be it resolved by the Legislature of the state of Utah:*

23 WHEREAS, Counterpoint Construction Company, Inc. and Earth Bank, Inc. have
24 proposed a plan to construct and operate a Class VI commercial landfill to receive
25 nonhazardous solid waste for treatment, storage, or disposal as defined in Utah Code Section
26 [19-6-102](#);

27 WHEREAS, the facility will be located on 116.69 acres located in Section 19,
28 Township 6 North, Range 3 West, Salt Lake Base and Meridian, within western Weber
29 County, Utah;

30 WHEREAS, Utah Code Section 19-6-108 requires that an applicant for authority to
31 construct a commercial landfill receive approval from the local government, the Legislature,
32 and the Governor;

33 WHEREAS, Utah Code Section 19-6-108 also requires that an applicant for authority
34 to construct or operate a commercial landfill receive approval from the director of the Division
35 of Waste Management and Radiation Control within the Department of Environmental Quality
36 for an operation plan for the facility before receiving gubernatorial approval;

37 WHEREAS, Counterpoint Construction Company, Inc. and Earth Bank, Inc. are
38 seeking approval from Weber County for the proposed landfill;

39 WHEREAS, Counterpoint Construction Company, Inc. and Earth Bank, Inc. will
40 submit a proposed operation plan for the commercial Class VI nonhazardous solid waste
41 landfill to the Division of Waste Management and Radiation Control to be approved by the
42 director; and

43 WHEREAS, Counterpoint Construction Company, Inc. and Earth Bank, Inc. will
44 request gubernatorial approval after the operation plan is approved by the director of the
45 Division of Waste Management and Radiation Control:

46 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
47 grants its provisional approval to Counterpoint Construction Company, Inc. and Earth Bank,
48 Inc. to construct and operate a Class VI commercial nonhazardous solid waste landfill as
49 described in the proposed plan if the proposed plan is approved by the Division of Waste
50 Management and Radiation Control, Weber County, and the Governor in accordance with Utah
51 Code Section 19-6-108.