

1                   **JOINT RESOLUTION AUTHORIZING ENERGY SOLUTIONS**  
2                   **TO CREATE A LANDFILL FOR NON-RADIOACTIVE**  
3                   **WASTE**

4                   2018 GENERAL SESSION

5                   STATE OF UTAH

6                   **Chief Sponsor: Daniel W. Thatcher**

7                   House Sponsor: Douglas V. Sagers

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9                   **LONG TITLE**

10                  **General Description:**

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

13                  **Highlighted Provisions:**

14                  This resolution:

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

21                  **Special Clauses:**

22                  None

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

25                  WHEREAS, EnergySolutions has proposed a plan to construct and operate a Class VI  
26                  commercial landfill to receive nonhazardous solid waste for disposal as defined in Section  
27                  19-6-102;

28                  WHEREAS, the proposed Class VI landfill will be located in Section 5, Township 2  
29                  South, Range 11 West, within Tooele County, Utah;

30 WHEREAS, EnergySolutions is currently licensed by the Division of Waste  
31 Management and Radiation Control to operate a low level radioactive waste disposal facility;

32 WHEREAS, the proposed Class VI landfill will be located within the same Tooele  
33 County designated hazardous waste corridor as the currently licensed low level radioactive  
34 waste disposal facility and the permitted Class V solid waste landfill operated by  
35 EnergySolutions in unincorporated Tooele County;

36 WHEREAS, the proposed Class VI landfill will enhance efficiencies for  
37 EnergySolutions clients by allowing EnergySolutions to receive nonhazardous, nonradioactive  
38 solid waste from the decommissioning of nuclear power plants that currently utilize the  
39 EnergySolutions licensed low level radioactive waste disposal facility;

40 WHEREAS, a Class VI commercial landfill would have a favorable economic impact  
41 on Tooele County and the state of Utah in the form of additional jobs and tax revenue;

42 WHEREAS, Utah Code Section [19-6-108](#) requires that an applicant for authority to  
43 construct a commercial landfill receive approval from the local government, the Legislature,  
44 and the Governor;

45 WHEREAS, Utah Code Section [19-6-108](#) also requires that the applicant for authority  
46 to construct or operate a commercial landfill receive approval from the director of the Division  
47 of Waste Management and Radiation Control within the Department of Environmental Quality  
48 for an operation plan for the facility prior to receiving gubernatorial approval;

49 WHEREAS, EnergySolutions will submit an operation plan for a Class VI commercial  
50 nonhazardous solid waste landfill to the Division of Waste Management and Radiation Control  
51 to be approved by the director;

52 WHEREAS, EnergySolutions will seek approval from Tooele County for the proposed  
53 landfill; and

54 WHEREAS, EnergySolutions will request gubernatorial approval after the operation  
55 plan is approved by the director of the Division of Waste Management and Radiation Control:

56 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
57 grants its provisional approval to EnergySolutions to construct and operate a Class VI

58 commercial nonhazardous solid waste landfill as described in the proposed plan if the proposed  
59 plan is approved by Tooele County, the Division of Waste Management and Radiation Control,  
60 and the Governor in accordance with Utah Code Section [19-6-108](#).