

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

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: Douglas V. Sagers

LONG TITLE

General Description:

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

Highlighted Provisions:

This resolution:

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

Special Clauses:

None

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

WHEREAS, EnergySolutions has proposed a plan to construct and operate a Class VI commercial landfill to receive nonhazardous solid waste for disposal as defined in Section [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](#).

Legislative Review Note
Office of Legislative Research and General Counsel