

# H.B. 373

## WASTE MANAGEMENT AMENDMENTS

Representative **Lee B. Perry** proposes the following amendments:

1. *Page 5, Lines 121 through 134:*

- 121 (ii) conduct the self-inspection annually and send a certified self-inspection report to the division  
122 upon completion .
- 122 (d) The division shall ensure that a solid waste management facility is inspected by an  
123 authorized division employee:
- 124 (i) ~~{annually}~~ every three to five years , if the solid waste management facility does not elect  
125 to self-inspect under  
126 Subsection (5)(a);
- 126 (ii) at least once every five years, regardless of whether the solid waste management  
127 facility elects to self-inspect under Subsection (5)(a);
- 128 (iii) promptly upon receipt of a valid complaint about the solid waste management  
129 facility; and
- 130 (iv) upon request by the solid waste management facility or upon issuance of a notice of violation .
- 131 (6) The division shall ensure that a fine assessed against a solid waste management  
132 facility that elects to self-inspect for a violation of this chapter or a rule made by the board is  
133 higher than the fine that would be assessed against a solid waste management facility that does  
134 not elect to self-inspect.

2. *Page 8, Line 235 through Page 9, Line 254:*

- 235 findings of the review to create the fee schedule.
- 236 (c) ~~{(f)}~~ The fee schedule described in Subsection (6)(a) shall:
- 237 ~~[(f)]~~ ~~{(A)}~~ (i) create an equitable and fair, though not necessarily equal or uniform, fee to be  
238 paid by all persons whose treatment, transfer, or disposal of nonhazardous solid waste creates a  
239 regulatory burden to the department, ~~{taking a facility's potential election to self-inspect under~~  
240 Section 19-6-109 into account} based on the actual cost as described in Section 19-6-126 , except as  
provided in Subsection (6)(d);
- 241 ~~[(ii)]~~ ~~{(B)}~~ (ii) cover the fully burdened costs of the program and provide for reasonable and  
242 timely oversight by the department;
- 243 ~~[(iii)]~~ ~~{(C)}~~ (iii) adequately meet the needs of industry, local government, and the department,  
244 including enabling the department to employ the appropriate number of qualified personnel to  
245 appropriately oversee industry and local government regulation;
- 246 ~~[(iv)]~~ ~~{(D)}~~ (iv) provide stable funding for the Environmental Quality Restricted Account

247 created in Section 19-1-108; and

248 [~~(v)~~] {~~(E)~~} (v) [~~give consideration to a fee differential regarding~~] for solid waste managed at  
249 a transfer facility, be no greater than [~~50 percent of the fee set for the treatment or disposal of~~  
250 ~~the same solid waste~~] \$750 annually.

251 {~~(ii) The fees imposed under this section shall be based on the actual regulatory services~~  
252 ~~provided.~~}

253 (d) Any person who treats, transfers, stores, or disposes of solid waste from the  
254 extraction, beneficiation, and processing of ores and minerals on a site owned, controlled, or