

1st Sub. H.B. 373
WASTE MANAGEMENT AMENDMENTS

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

1. *Page 1, Lines 12 through 16:*

12 This bill:

13 ▶ creates the Division of Waste Management and Radiation Control Expendable Special
14 Revenue Fund and describes the uses of the fund;

15 ▶ requires the Division of Waste Management and Radiation Control to upgrade
16 technology;

2. *Page 2, Lines 53 through 56:*

53 (a) the first [~~\$400,000~~] \$200,000 collected from the waste disposal fees listed in
54 Subsection (2), collectively, shall be deposited in the [~~General Fund as free revenue. The~~
55 ~~balance~~] Division of Waste Management and Radiation Control Expendable Special Revenue Fund
56 created in Section 19-6-126; and

3. *Page 3, Lines 66 through 71:*

66 (5) Each year beginning July 1, 2018, and ending on June 30, 2022, the Division of
67 Finance shall transfer \$200,000 from the Environmental Quality Restricted Account to the
68 {~~Hazard~~} Hazardous Substances Mitigation Fund, to provide money to:
69 [(†)] (a) meet the state's cost share requirements for cleanup under the Comprehensive
70 Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec. 9601 et seq.
71 as amended; and

4. *Page 5, Lines 122 through 127:*

122 (i) provide all information to the division that is required by this chapter and any rules
123 issued by the board; and

124 (ii) conduct the self-inspection annually and send a {~~certified~~} self-inspection report , certified
by an individual who completed the training described in Subsection (5)(b)(i), to
125 the division upon completion.

126 (d) The division shall ensure that a solid waste management facility is inspected by an
127 authorized division employee:

5. *Page 5, Lines 131 through 133:*

131 facility elects to self-inspect under Subsection (5)(a);
132 (iii) promptly upon receipt of a ~~{valid}~~ credible complaint about the solid waste management
133 facility; and

6. *Page 5, Lines 136 through 140:*

136 (6) (a) The division shall ensure that a fine assessed against a solid waste management
137 facility that elects to self-inspect for a violation of this chapter or a rule made by the board is
138 higher than the fine that would be assessed against a solid waste management facility that does
139 not elect to self-inspect.

(b) The division may determine that, upon a severe violation of this chapter or a rule made by the board by a facility that elects to self-inspect, that a facility is no longer eligible to self-inspect.

140 Section 3. Section **19-6-119** is amended to read:

7. *Page 9, Lines 243 through 245:*

243 by all persons whose treatment, transfer, or disposal of nonhazardous solid waste creates a
244 regulatory burden to the department, based on the actual cost as described in Section 19-6-126 and taking
into consideration whether the owner or operator of a facility elects to self-inspect under Section
19-6-109 ;
245 except as provided in Subsection (6)(d);

8. *Page 10, Lines 290 through 294:*

290 Section 4. Section **19-6-126** is enacted to read:
291 19-6-126. Division of Waste Management and Radiation Control Expendable Special
292 Revenue Fund.
293 (1) There is created the Division of Waste Management and Radiation Control
294 Expendable Special Revenue Fund.

9. *Page 10, Lines 299 through 304:*

299 (4) The technology upgrade authorized in this section shall be designed to assist the
300 division in the following ways:
301 (a) allowing forms to be digitized and accessible online for:
302 (i) completion and submission by a division employee or the owner or operator of a facility that
elects to self-inspect ; and
303 (ii) review by a regulated facility;
304 (b) tracking expenses of a division employee, including travel time to inspected