

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 29, 2023  
Date

Committee on Transportation, Housing & Local Government.

After consideration on the merits, the Committee recommends the following:

HB23-1194 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 4, line 4, after the semicolon add "and".
- 2 Page 4, strike lines 5 through 8.
- 3 Reletter succeeding paragraph accordingly.
- 4 Page 4, strike lines 13 through 20 and substitute "interests of the state to  
5 create the closed landfill remediation grant program to assist local  
6 governments in financing closed landfill remediation costs."
- 7 Page 5, line 21, strike "AGENCY;" and substitute "AGENCY AND THE  
8 DEPARTMENT;".
- 9 Page 5, strike lines 26 and 27 and substitute:  
10 "(V) ARTICLE 15 OF TITLE 25 CONCERNING HAZARDOUS WASTE; OR  
11 (VI) THE FEDERAL "RESOURCE CONSERVATION AND RECOVERY".
- 12 Page 6, strike lines 3 and 4 and substitute "ACCEPTS NEW WASTE FOR  
13 DISPOSAL."
- 14 Page 6, line 10, strike "AGENCY;" and substitute "AGENCY AND FOR WHICH  
15 THE LOCAL GOVERNMENT IS SOLELY FINANCIALLY RESPONSIBLE FOR  
16 CLOSURE AND POST-CLOSURE CARE;".
- 17 Page 6, strike lines 22 and 23 and substitute:  
18 "(h) (I) "LANDFILL" MEANS A DISCRETE AREA OF LAND OR AN

1 EXCAVATION WHERE SOLID WASTES ARE PLACED FOR FINAL DISPOSAL.  
2 (II) "LANDFILL" INCLUDES:  
3 (A) AN ASH MONOFILL;  
4 (B) A CONSTRUCTION AND DEMOLITION WASTE LANDFILL;  
5 (C) AN INDUSTRIAL LANDFILL;  
6 (D) A SANITARY LANDFILL;  
7 (E) A TIRE MONOFILL; AND  
8 (F) ANY SIMILAR FACILITY WHERE FINAL DISPOSAL OF SOLID  
9 WASTE OCCURS.  
10 (III) "LANDFILL" DOES NOT INCLUDE A LAND APPLICATION UNIT,  
11 A WASTE IMPOUNDMENT, OR A WASTE PILE."

12 Page 7, line 6, strike "JANUARY 1," and substitute "JULY 1,".

13 Page 8, line 6, strike "PLANS;" and substitute "PLANS, INCLUDING  
14 DOCUMENT REVIEW AND ACTIVITY FEES IN ACCORDANCE WITH RULES  
15 PROMULGATED BY THE COMMISSION;".

16 Page 8, strike lines 18 through 22 and substitute "SHALL GIVE PRIORITY TO  
17 MITIGATING THE RISKS POSED BY SOLID WASTE IN ACCORDANCE WITH  
18 SECTION 30-20-101.5 (2) AND RULES PROMULGATED BY THE COMMISSION  
19 CONCERNING THE MANAGEMENT OF SOLID WASTE.".

20 Page 8, line 27, strike "NOVEMBER 1, 2023," and substitute "MAY 1,  
21 2024,".

22 Page 9, strike lines 2 and 3 and substitute:

23 "(I) TWO MEMBERS REPRESENTING LOCAL GOVERNMENTS;  
24 (II) TWO MEMBERS REPRESENTING THE DEPARTMENT; AND  
25 (III) ONE MEMBER WITH TECHNICAL EXPERTISE WHO IS NOT".

26 Page 9, strike lines 10 through 12 and substitute:

27 "(II) ONE OF THE MEMBERS INITIALLY APPOINTED PURSUANT TO  
28 SUBSECTION (6)(a)(II) OF THIS SECTION SERVES AN INITIAL TERM OF TWO  
29 YEARS.".

30 Page 9, line 15, strike "NOVEMBER 1, 2023," and substitute "JUNE 1,  
31 2024,".

32 Page 10, after line 6 insert:

- 1           "(I) BEFORE FINALIZING ANY DECISION TO AWARD OR DENY A  
2 GRANT, INTERVIEW AN OFFICIAL OF THE APPLICANT ELIGIBLE LOCAL  
3 GOVERNMENT WHO IS FAMILIAR WITH THE CLOSED LANDFILL SITE THAT IS  
4 THE BASIS OF THE GRANT APPLICATION;"
- 5    Renumber succeeding subparagraphs accordingly.
- 6    Page 10, line 19, after the semicolon add "AND".
- 7    Page 10, strike lines 20 through 27.
- 8    Renumber succeeding subparagraph accordingly.
- 9    Page 11, strike lines 4 through 11 and substitute "ACTIVITIES THAT ARE  
10 THE BASIS OF THE GRANT APPLICATION, AND CONSIDER GIVING PRIORITY  
11 TO GRANT APPLICATIONS RECEIVED FROM ELIGIBLE LOCAL GOVERNMENTS  
12 BASED ON EXPENSES OCCURRED TO DATE BY THE ELIGIBLE LOCAL  
13 GOVERNMENTS IN ATTEMPTING TO IMPLEMENT THE REMEDIATION THAT IS  
14 THE BASIS OF THEIR GRANT APPLICATIONS.
- 15           (B) IN MAKING THE CONSIDERATIONS DESCRIBED IN SUBSECTION  
16 (7)(b)(III)(A) OF THIS SECTION, CONSIDER WHETHER CERTAIN ELIGIBLE  
17 LOCAL GOVERNMENTS SHOULD BE REQUIRED TO CONTRIBUTE A LOWER  
18 AMOUNT OR PERCENTAGE OF MATCHING FUNDS THAN OTHER ELIGIBLE  
19 LOCAL GOVERNMENTS BASED ON POPULATION, AS DETERMINED".
- 20    Page 11, line 19, after the semicolon add "AND".
- 21    Page 11, strike lines 20 and 21.
- 22    Renumber succeeding subparagraph accordingly.
- 23    Page 12, strike lines 9 through 11 and substitute "COMMISSION, AND THE  
24 ADVISORY COMMITTEE."
- 25    Page 12, strike line 21 and substitute "FEBRUARY 1, 2026, AND ON OR  
26 BEFORE FEBRUARY 1 EVERY THREE YEARS".
- 27    Page 12, line 25, after "**Report.**" insert "(a)".
- 28    Page 13, line 4, strike "(a)" and substitute "(I)".
- 29    Page 13, line 5, strike "(b)" and substitute "(II)".

- 1 Page 13, line 7, strike "(c)" and substitute "(III)".
- 2 Page 13, line 9, strike "(d)" and substitute "(IV)".
- 3 Page 13, line 11, strike "(e)" and substitute "(V)".
- 4 Page 13, line 13, strike "(f)" and substitute "(VI)".
- 5 Page 13, after line 14 insert:
  - 6 "(b) THE DEPARTMENT MAY INCLUDE THE REPORT DESCRIBED IN
  - 7 SUBSECTION (10)(a) OF THIS SECTION IN THE DEPARTMENT'S ANNUAL
  - 8 REPORT TO THE COMMITTEES OF REFERENCE OF THE GENERAL ASSEMBLY
  - 9 PURSUANT TO SECTION 30-20-122 (1)(b)."
- 10 Strike pages 14 through 18.
- 11 Page 19, strike lines 1 through 15.
- 12 Renumber succeeding sections accordingly.
- 13 Page 1, strike lines 104 through 110 and substitute "**PROGRAM.**".

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