

**CONCURRENT RESOLUTION APPROVING SOLID WASTE
FACILITY LANDFILL PERMIT**

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David P. Hinkins

House Sponsor: _____

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor gives approval for the operation of a landfill to receive specified nonhazardous solid waste.

Highlighted Provisions:

This resolution:

- ▶ addresses the proposed Five Mile Recycle Landfill, that is owned by Dunn Construction, LLC, and that is located in unincorporated Tooele County;
- ▶ grants statutorily required approval of the operating plan, as approved by the Department of Environmental Quality, and allows Dunn Construction, LLC, to operate as a Class VI landfill and receive nonhazardous construction and demolition waste, inert waste, and yard waste; and
- ▶ reiterates that the Five Mile Recycle Landfill is required under state law to apply for and receive approval from the Department of Environmental Quality, if the landfill desires to change a specified element of its waste stream.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, Dunn Construction, LLC, desires to construct and operate a Class VI



28 commercial landfill to receive nonhazardous solid waste for disposal as defined in Section
29 19-6-102;

30 WHEREAS, the facility is to be located in unincorporated Tooele County,
31 approximately 4,700 feet northwest of Highway 73 and the Tooele County line;

32 WHEREAS, this site is an 84.1-acre parcel in Section 5, Township 7 South, Range 3
33 West, Salt Lake Base and Meridian, and is located approximately 45 miles south of Salt Lake
34 City, in Tooele County;

35 WHEREAS, Utah Code Section 19-6-108 requires that an applicant for authority to
36 construct a commercial landfill receive approval from the Utah State Legislature and the
37 Governor of the State as a part of the approval process;

38 WHEREAS, Utah Code Section 19-6-108 also requires that an applicant for authority
39 to operate a commercial landfill receive approval from the director of the Division of Solid and
40 Hazardous Waste within the Department of Environmental Quality prior to receiving
41 legislative and gubernatorial approval;

42 WHEREAS, Dunn Construction, LLC, has submitted a proposed operation plan for the
43 Five Mile Recycle Landfill as a Class VI commercial, nonhazardous solid waste landfill to the
44 Department of Environmental Quality, and the operation plan may be approved by the director
45 of the Division of Solid and Hazardous Waste on March 2, 2013, with an effective approval
46 date of March 2, 2013; and

47 WHEREAS, the approved operating plan for the Five Mile Recycle Landfill allows the
48 landfill to receive nonhazardous construction and demolition waste, inert waste, and yard
49 waste, as enumerated in the operation plan and in the plan approval of the director of the
50 Division of Solid and Hazardous Waste:

51 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
52 Governor concurring therein, grant their approval to Dunn Construction, LLC, to construct and
53 operate a Class VI commercial, nonhazardous solid waste landfill known as the Five Mile
54 Recycle Landfill in unincorporated Tooele County, Utah.

55 BE IT FURTHER RESOLVED that Five Mile Recycle Landfill is required under state
56 law to apply for and receive approval from the Department of Environmental Quality if the
57 landfill desires to change a specified element of its waste stream.

Legislative Review Note
as of 2-7-13 1:46 PM

Office of Legislative Research and General Counsel