

Introduced: 2/10/84  
Referred: Resources and  
Finance

1 IN THE SENATE

BY V.FISCHER

2

SENATE BILL NO. 450

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act providing for the selection of hazardous  
7 waste disposal facility sites and establishing a  
8 temporary hazardous waste disposal facility site  
9 board; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 \* Section 1. AS 46.03.299(b)(7) is amended to read:

12 (7) establish

13 [(A) CRITERIA FOR IDENTIFYING APPROPRIATE HAZARDOUS  
14 WASTE DISPOSAL SITE LOCATIONS;

15 (B)] procedures by which the public shall have oppor-  
16 tunity to

17 [(i) PARTICIPATE IN HAZARDOUS WASTE DISPOSAL SITE  
18 LOCATIONS; AND

19 (ii)] review and comment on issuance of hazardous  
20 waste disposal permits by the department.

21 \* Sec. 2. AS 46.03.299(b)(7) is repealed and reenacted to read:

22 (7) establish

23 (A) criteria for identifying appropriate hazardous  
24 waste disposal site locations;

25 (B) procedures by which the public shall have oppor-  
26 tunity to

27 (i) participate in hazardous waste disposal site  
28 locations; and

29 (ii) review and comment on issuance of hazardous

1 waste disposal permits by the department.

2 \* Sec. 3. AS 46.03 is amended by adding new sections to read:

3 Sec. 46.03.312. HAZARDOUS WASTE DISPOSAL FACILITY SITE BOARD.

4 (a) The Hazardous Waste Disposal Facility Site Board is created in  
5 the department.

6 (b) The board consists of 12 members appointed not later than  
7 October 1, 1984, by the governor as follows:

8 (1) one member representing the department;

9 (2) one member representing the Office of the Governor;

10 (3) two members representing public interest environmental  
11 conservation organizations;

12 (4) two members representing the oil and gas industry;

13 (5) two members with expertise in public health matters  
14 related to the transportation and disposal of hazardous wastes;

15 (6) four members representing the general public, two of  
16 whom shall be from rural areas of the state and two of whom shall be  
17 from urban areas of the state.

18 (c) The governor shall designate the chairperson of the board.

19 (d) The department shall provide administrative and clerical  
20 services to the board.

21 Sec. 46.03.313. DUTIES AND POWERS OF THE BOARD. (a) The board  
22 shall evaluate and select potential sites for hazardous waste disposal  
23 facilities in the state. In evaluating and selecting sites for dis-  
24 posal facilities, the board shall consider at least the following  
25 factors:

26 (1) economic feasibility, including proximity to concen-  
27 trations of generators of the types of hazardous wastes likely to be  
28 proposed and permitted for disposal;

29 (2) intrinsic suitability of the sites;

1 (3) federal and state pollution control and environmental  
2 protection rules;

3 (4) the risk and effect for local residents, units of  
4 government, and the local public health, safety, and welfare, includ-  
5 ing such dangers as an accidental release of wastes during transporta-  
6 tion to a facility or at a facility, water, air, and land pollution,  
7 and fire or explosion;

8 (5) the consistency of a facility with, and its effect on,  
9 existing and planned local land use and development; local laws,  
10 ordinances, and permits; and local public facilities and services; and

11 (6) the adverse effects of a facility at the site on agri-  
12 culture and natural resources and opportunities to mitigate or elimi-  
13 nate the adverse effects by stipulations, conditions, and requirements  
14 relating to the design and operation of a disposal facility at the  
15 proposed site.

16 (b) The board shall hold public hearings in each election dis-  
17 trict in which a potential hazardous waste disposal facility site is  
18 located. The board shall give reasonable public notice of the time,  
19 date and place of each public hearing at least 30 days before the  
20 hearing. The public shall be afforded an opportunity at each hearing  
21 to submit written and oral testimony concerning a potential site. The  
22 board shall consider the testimony submitted at public hearings when  
23 it develops recommendations to be submitted in its report under AS 46.  
24 03.316.

25 (c) For purposes of this section, "intrinsic suitability" of a  
26 site means that, based on existing data on the inherent and natural  
27 attributes, physical features, and location of the site, there is no  
28 known reason why, a waste disposal facility that may be located in the  
29 site could not reasonably be expected to qualify for a permit under

1 AS 46.03.302.

2 Sec. 46.03.314. MEETINGS OF THE BOARD. The board shall meet at  
3 the call of the chairperson and at other times as agreed by the mem-  
4 bers. The board shall hold its first meeting not later than  
5 January 31, 1985.

6 Sec. 46.03.315. COMPENSATION. A board member may not receive a  
7 salary for performing official duties of the board, but is entitled to  
8 per diem and travel expenses as provided for other boards and commis-  
9 sions.

10 Sec. 46.03.316. REPORT OF SITE AND FACILITY RECOMMENDATIONS.  
11 Not later than January 31, 1987, the board shall submit to the gover-  
12 nor and the legislature a report that includes recommendations for

13 (1) the siting of hazardous waste disposal facilities in  
14 the state;

15 (2) the methods of financing and operating the facilities;  
16 and

17 (3) the types of facilities that should be constructed,  
18 such as chemical processing facilities, incineration facilities, and  
19 transfer and storage facilities.

20 Sec. 46.03.317. DEFINITION. For purposes of AS 46.03.312 -  
21 46.03.316, "board" means the Hazardous Waste Disposal Facility Site  
22 Board.

23 \* Sec. 4. AS 46.03.312 - 46.03.317 are repealed June 30, 1988.

24 \* Sec. 5. Section 2 of this Act takes effect June 30, 1988.