

SENATE JOINT RESOLUTION NO. 31

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 4/15/93

Referred: CRA

A RESOLUTION

1 Relating to the minimum federal criteria for municipal solid waste landfills.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS the United States Environmental Protection Agency has established
4 October 9, 1993, as the effective date for compliance with all minimum federal criteria for
5 municipal solid waste landfills, except the financial assurance criteria, which are effective
6 April 9, 1994; and

7 WHEREAS it took the Environmental Protection Agency seven years to adopt these
8 criteria in response to the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616) to
9 the Resource and Conservation Recovery Act (42 U.S.C. 6901 - 6992k); and

10 WHEREAS the states have had only two years' time to adopt necessary regulations
11 and to implement measures to comply with the criteria; and

12 WHEREAS the state of Alaska and its citizens have made a good faith effort to
13 comply with the federal criteria; and

14 WHEREAS the criteria may require solid waste transfer stations and regional landfills
15 to be established, and since the Alaska Department of Environmental Conservation estimates
16 that these transfer stations and regional landfills would cost local governments more than the

1 one percent increase in local government budgets that is considered by the Environmental
2 Protection Agency to be a significant economic effect, complying with the criteria may exceed
3 the practicable capacity of many local governments; and

4 **WHEREAS** the problems that low density populations face in complying with the
5 federal criteria cannot be resolved within the time allowed for compliance;

6 **BE IT RESOLVED** that the Alaska State Legislature urges the United States Congress
7 to extend the effective date of the financial assurance criteria for municipal solid waste
8 landfills under 40 CFR Part 258, Subpart G, to April 9, 1996, and to extend the effective date
9 for the state to implement all other minimum federal criteria for municipal solid waste
10 landfills under 40 CFR Part 258, Subparts A through F, to October 9, 1995; and be it

11 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
12 Congress to take appropriate action to assure that municipal solid waste landfill units are not
13 considered open dumps under the Resource Conservation and Recovery Act due to a failure
14 to comply with the new minimum federal criteria for municipal solid waste landfills under 40
15 CFR Part 258 until on or after October 9, 1995, unless the landfill unit does not comply with
16 the federal criteria that were in effect on October 8, 1991.

17 **COPIES** of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President
18 of the United States and President of the U.S. Senate; the Honorable Robert C. Byrd, President
19 Pro Tempore of the U.S. Senate; the Honorable Thomas S. Foley, Speaker of the U.S. House
20 of Representatives; the Honorable Carol Browner, Administrator of the U.S. Environmental
21 Protection Agency; the Honorable Dana A. Rasmussen, Regional Administrator of Region 10
22 of the U.S. Environmental Protection Agency; and to the Honorable Ted Stevens and the
23 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
24 Representative, members of the Alaska delegation in Congress.