

SJR

31

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 4/15/93

FURTHER:

Date of 5-Day Notice: 4/15/93
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

CRA Committee considered SJR 31

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

and recommends:

replace with _____ CS _____ (_____)

attaches amendment(s)

same title
 new title
 technical title change
 (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DEC	4/16/93	φ	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

OTHER RECOMMENDATIONS:

Christy Hancock

Adrian P. Thayer

Loren A. Roman

Reed E. Cole Do Pass

Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. SJR 31

Revision Date: _____
 Title: Minimum federal criteria for municipal
solid waste landfills
 Sponsor: Senator Leman
 Requestor: Senator Leman

Department Affected: Environmental
Conservation
 BRU: _____
 Component: _____

COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND&STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS,CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 FEDERAL RECEIPTS	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF MATCH	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/PROGRAM RECPT	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
OTHER	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS: NONE

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ NONE

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Glenn Miller, Environmental Specialist *Glenn Miller* Phone: 465-5010
 Division: Environmental Quality *for Glenn Miller* Date: 4/15/93

Approved by Commissioner: *Anna W. Davis*
 Agency: Department of Environmental Conservation Date: 4/16/93

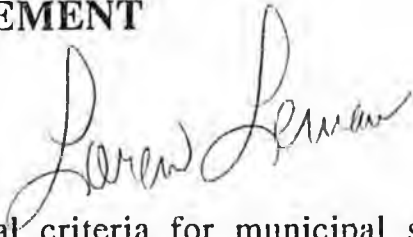
Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SENATOR LOREN LEMAN

Northwest Anchorage

311 "C" Street Anchorage, AK 99503 561-7614 During Session: State Capitol Juneau, AK 99801 465-2095

SPONSOR STATEMENT

BY: Senator Loren Leman 

SUBJECT: SJR31: Minimum federal criteria for municipal solid waste landfills

DATE: April 16, 1993

The Environmental Protection Agency took seven years to prepare criteria implementing the Hazardous and Solid Waste Amendments of 1984. However, it has given states only two years to adopt regulations mandated by these criteria.

The Alaska Department of Environmental Conservation will have difficulty adopting the required regulations by the October 9, 1993 federal deadline.

SJR31 requests extension of the effective date of the financial assurance criteria for municipal solid waste landfills to April 9, 1996, and the effective date for the state to implement all other federal criteria for municipal solid waste landfills to October 9, 1995.

It also requests that solid waste landfills not be considered open dumps under the Resource Conservation and Recovery Act because of a failure to comply with the new criteria, unless the landfill does not comply with the federal criteria that were in effect on October 8, 1991.

The Kansas State Legislature has passed a similar resolution and asked us to do the same.

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

CARL D. HOLMES
REPRESENTATIVE, 125TH DISTRICT
P.O. BOX 2288
LIBERAL, KANSAS 67905
(316) 624-7361



TOPEKA

COMMITTEE ASSIGNMENTS
CHAIRMAN ENERGY AND NATURAL RESOURCES
MEMBER LOCAL GOVERNMENT
JOINT COMMITTEE ON ADMINISTRATIVE
RULES AND REGULATIONS
NATIONAL CONFERENCE OF STATE
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LEGISLATIVE HOTLINE
1-800-432-3924

April 7, 1993

Senator Loren Leman, Chair
Special Committee on Oil & Gas
State Capitol
Juneau, AK 99811

APR 12 1993

Dear Senator Leman:

As you are probably aware, the U.S. Environmental Protection Agency has established October 9, 1993 as the effective date for all minimum federal criteria for municipal solid waste landfills, except for the financial assurance criteria. While states waited for years to receive the criteria, states were given only two years to adopt the necessary legislation and rules and regulations at the state level in order to come into compliance by the federal deadline date. In Kansas this has created immense problems, particularly in our more rural areas.

In response to the tremendous difficulties this has created for many Kansas communities, the Kansas Legislature has adopted the enclosed resolution, which calls on the Congress to take the appropriate action to assure that no municipal solid waste landfill unit be considered an open dump. The resolution calls for a two year delay in the implementation of the federal criteria. I would urge you to consider the introduction and eventual passage of a concurrent resolution similar to the one enclosed.

Thank you for your time and consideration.

Sincerely,

Representative Carl Holmes
Chairman, Kansas House Energy
and Natural Resources Committee

CH:ja

Enclosure

HOUSE CONCURRENT RESOLUTION No. 5020

A CONCURRENT RESOLUTION urging Congress to extend the effective dates for the minimum federal criteria for municipal solid waste landfills.

WHEREAS, The United States Environmental Protection Agency has established October 9, 1993, as the effective date for all minimum federal criteria for municipal solid waste landfills except the financial assurance criteria which are effective April 9, 1984; and

WHEREAS, The Environmental Protection Agency required seven years to adopt these criteria in response to the 1984 Hazardous and Solid Waste Amendments to the Resource and Conservation Recovery Act; and

WHEREAS, Only two years' time was allowed the states to adopt necessary rules and regulations and implement measures to comply with the criteria; and

WHEREAS, The state of Kansas and its citizens have made a good faith effort to comply with the federal requirements; and

WHEREAS, The criteria may require solid waste transfer stations and regional landfills to be established, which would cost counties between \$300,000 and \$2,000,000, more than the 1% increase in county budgets considered by the Environmental Protection Agency to be a significant economic impact that may exceed the practicable capacity of many counties; and

WHEREAS, The problems that areas having low density population face in complying with the federal requirements cannot be resolved within the time allowed for compliance: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature urges Congress to extend the effective date of the financial assurance criteria for municipal solid waste landfills (40 CFR part 258, subpart G) to April 9, 1996, and to extend the effective date for the state to implement all other minimum federal criteria for municipal solid waste landfills (40 CFR part 258, subparts A through F) to October 9, 1995; and

Be it further resolved: That the Legislature urges Congress to take appropriate action to assure that no municipal solid waste landfill unit shall be considered an open dump under the Resource Conservation and Recovery Act by reason of failure to comply with the new minimum federal criteria for municipal solid waste landfills (40 CFR part 258) until on or after October 9, 1995, unless the landfill unit does not comply with the federal criteria which were in effect on October 8, 1991; and

Be it further resolved: That the Secretary of State be directed to send enrolled copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, all members of the congressional delegation from the State of Kansas, the Administrator of the United States Environmental Protection Agency and the Regional Administrator, Region VII, of the United States Environmental Protection Agency.

I hereby certify that the above CONCURRENT RESOLUTION originated in the HOUSE, and was adopted by that body

March 19, 1993

Robert H. Miller
Speaker of the House.
Just E. Jones
Chief Clerk of the House.

Adopted by the SENATE March 26, 1993

Paul H. Bush
President of the Senate.
Pat Saville
Secretary of the Senate.