

STATE OF ALASKA  
THE LEGISLATURE

1993

Source  
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Legislative  
Resolve No.  
13



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

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

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

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

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

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

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

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

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

**BE IT RESOLVED** that the Alaska State Legislature urges the United States Congress to extend the effective date of the financial assurance criteria for municipal solid waste landfills in Alaska under 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 under 40 CFR Part 258, Subparts A through F, to October 9, 1995; and be it

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

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