



SPONSOR: Rep. Cooke

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 5
TO
HOUSE BILL NO. 212

AMEND House Bill No. 212, as amended, by striking Senate Amendment No. 1 in its entirety.

FURTHER AMEND House Bill No. 212, as amended, by deleting lines 6 through 8 in their entirety and inserting in lieu thereof the following:

“(27) “Industrial landfill” means a landsite at which industrial waste is deposited on or into the land as fill for the purpose of permanent disposal. It does not mean a facility approved for any of the following:

a. The disposal of hazardous waste under § 6307 of this title.

b. A sanitary landfill under § 6010 of this title.”

FURTHER AMEND House Bill No. 212, as amended, on line 31 by deleting “130” as it appears therein and inserting in lieu thereof “140”.

FURTHER AMEND House Bill No. 212 by adding after line 32 and before the Synopsis the following:

“(4) No permit may be granted to any industrial landfill permit applicant who submits an application after January 1, 2020 unless the permit applicant establishes all of the following:

a. The property on which the industrial landfill is or will be located is within an area that is zoned for heavy industrial activity.

b. Every point on the property boundary line of the property on which the industrial landfill is or will be located at least ¼ mile from all of the following:

1. The property boundary line of any residence, school, park and hospital.

2. The property boundary line of any residential community.

3. The property boundary of any wetlands.

c. The health, safety, and welfare of individuals within the area of the industrial landfill will not be impacted by the landfill because of any of the following:

1. Run-off due to heavy rains or other hazardous weather conditions.

2. Pollutants in soil, aquifers, or any water supply.

SYNOPSIS

This amendment incorporates the changes made to House Bill No. 212 by Senate Amendment 1, including, increasing the height restrictions for an industrial landfill from 130 to 140 feet. This amendment also creates a buffer zone for any landfill whose application has not been submitted as of January 1, 2020 and any residence, residential community and any school, park, hospital, and wetlands. The amendment also requires that before any permit can be granted for an industrial landfill, the permit applicant must establish that the health, safety and welfare of individuals within the area of the industrial landfill will not be impacted due to run-off by heavy rains or other hazardous weather conditions and pollutants in soil, aquifers or any water supply.