

HOUSE BILL NO. HB0123

Mine reclamation-disposal of materials.

Sponsored by: Representative(s) Barlow, Bear, Burkhart,
Greear, Knapp and Larsen and Senator(s)
Anderson, Driskill, Rothfuss and
Wasserburger

A BILL

for

1 AN ACT relating to environmental quality; requiring the
2 environmental quality council to establish rules for uses
3 and disposal of inert material in non-coal mining sites as
4 specified; amending requirements for fees associated with
5 the disposal of decommissioned wind turbine blades and
6 towers in surface coal mines; providing definitions; and
7 providing for effective dates.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 35-11-103(e) by creating a new
12 paragraph (xxxi) and 35-11-402(a) and by creating a new
13 paragraph (xv) are amended to read:

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1 **35-11-103. Definitions.**

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3 (e) Specific definitions for land quality:

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5 (xxxi) "Inert material" means any material or
6 combination of materials that will undergo minimal
7 physical, chemical or biological transformation and that
8 will not adversely affect other matter with which the
9 material comes into contact.

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11 **35-11-402. Establishment of standards.**

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13 (a) The council shall, upon recommendation by the
14 advisory board through the administrator and the director,
15 establish rules and regulations pursuant to the following
16 reclamation standards for the affected areas, including but
17 not limited to:

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19 (xv) Rules and regulations governing the use of
20 inert material to backfill non-coal mining sites as part of
21 an approved reclamation plan, including a timely process
22 for the department to consider applications for approval to
23 use inert materials in the reclamation plan. Rules

1 promulgated under this paragraph shall, at a minimum,
2 provide for:

3
4 (A) Minimum depth requirements for the
5 burial of inert material to be buried below the surface and
6 above any aquifers as defined in W.S. 35-11-103(h)(i). In
7 setting depth requirements under this subparagraph, the
8 council, administrator and director may consult standards
9 for solid waste management facilities established by the
10 solid and hazardous waste management division;

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12 (B) Disposal fees to be remitted to the
13 department by the operator who allows disposal of inert
14 material in non-coal mining sites, which shall be ten
15 percent (10%) of any revenues collected by the operator for
16 the disposal of the inert material. The fees collected
17 under this subparagraph shall be credited to the general
18 fund;

19
20 (C) The incorporation or amendment of any
21 rules pertaining to solid and hazardous waste necessary to
22 allow for the disposal of inert material in non-coal mining
23 sites to be reclaimed.

1

2 **Section 2.** The department of environmental quality
3 and the environmental quality council shall promulgate all
4 rules necessary to implement this act.

5

6 **Section 3.**

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8 (a) Except as provided in subsection (b) of this
9 section, this act is effective July 1, 2022.

10

11 (b) Sections 2 and 3 of this act are effective
12 immediately upon completion of all acts necessary for a
13 bill to become law as provided by Article 4, Section 8 of
14 the Wyoming Constitution.

15

16

(END)