

ORIGINAL HOUSE
BILL NO. HB0129

ENROLLED ACT NO. 68, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to environmental quality; requiring the environmental quality council to establish rules and regulations for uses of wind turbine materials as specified; amending definitions; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 35-11-103(d)(ii)(E), (F), by creating a new subparagraph (G) and (iv), 35-11-402(a) by creating a new paragraph (xiii) and by renumbering (xiii) as (xiv) and 35-12-102(a)(vii)(A) are amended to read:

35-11-103. Definitions.

(d) Specific definitions applying to solid waste management:

(ii) "Solid waste management facility" means any facility for the transfer, treatment, processing, storage or disposal of solid waste, but does not include:

(E) Lands and facilities owned by a person engaged in farming or ranching and used to dispose of solid waste generated incidental to his farming and ranching operations;~~or~~

(F) Transport vehicles, storage containers and treatment of the waste in containers;~~or~~ or

(G) Lands and facilities subject to W.S. 35-11-402(a)(xiii).

(iv) "Commercial solid waste management facility" means any facility receiving a monthly average

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greater than five hundred (500) short tons per day of unprocessed household refuse or mixed household and industrial refuse for management or disposal, excluding lands and facilities subject to W.S. 35-11-402(a)(xiii);

35-11-402. Establishment of standards.

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

(xiii) Rules and regulations governing the use of decommissioned wind turbine blades and towers to backfill surface coal mining sites as part of an approved reclamation plan. Rules promulgated under this paragraph shall, at a minimum, provide for:

(A) Minimum depth requirements for the burial of decommissioned wind turbine blades and towers to be buried below the surface and above any aquifers as defined in W.S. 35-11-103(h)(i). In setting depth requirements under this subparagraph, the council, administrator and director may consult standards for solid waste management facilities established by the solid and hazardous waste management division;

(B) The removal of all mechanical, electrical and other materials from the decommissioned wind turbine blades and towers allowing only the base material of the blades and towers to be buried;

(C) Disposal fees to be remitted to the department by the operator who allows disposal of

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decommissioned wind turbine blades and towers in surface coal mining sites, which shall be twenty-five percent (25%) of any revenues collected by the operator for the disposal of the decommissioned wind turbine blades and towers. The fees collected under this subparagraph shall be credited to the general fund;

(D) The incorporation or amendment of any rules pertaining to solid and hazardous waste necessary to allow for the disposal of decommissioned wind turbine blades and towers in surface coal mining sites to be reclaimed.

~~(xiii)~~(xiv) Establishing such other rules and regulations necessary to insure full compliance with all requirements relating to reclamation, and the attainment of those objectives directed to public health, safety, and welfare.

35-12-102. Definitions.

(a) As used in this chapter:

(vii) "Industrial facility" or "facility" means any industrial facility with an estimated construction cost of at least ninety-six million nine hundred thousand dollars (\$96,900,000.00) as of May 30, 1987. Exempt activities shall not be included in the estimated construction cost of an industrial facility. The council shall adjust this amount, up or down, each year using recognized construction cost indices as the council determines to be relevant to the actual change in construction cost applicable to the general type of construction covered under this chapter. "Facility" also includes, regardless of construction cost:

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(A) Any commercial waste incineration or disposal facility capable of receiving greater than five hundred (500) short tons per day of household refuse or mixed household and industrial refuse, excluding lands and facilities subject to W.S. 35-11-402(a)(xiii);

Section 2. This act is effective July 1, 2020.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk