

SENATE FILE NO. SF0018

Orphan site remediation funding.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; providing funding
2 mechanisms for orphan site remediation; creating an orphan
3 site remediation account; and providing for an effective
4 date.

5

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

7

8 **Section 1.** W.S. 16-1-206(b) and (c), 35-11-1424(a)
9 and (p)(intro) and 35-11-1701(a) and by creating a new
10 subsection (h) are amended to read:

11

12 **16-1-206. Financial assistance priorities.**

13

14 (b) If there are no publicly owned wastewater
15 treatment works identified as not being in compliance with

1 the Water Pollution Control Act, 33 U.S.C. § 1251 et seq.,
2 then the monies in the account shall initially be used for
3 noninterest bearing loans to the department for taking
4 corrective actions at leaking underground and aboveground
5 storage tank sites, orphan site remediation and solid waste
6 landfill remediation as provided by W.S. 35-11-1424.

7

8 (c) Principal payments to the account from loans made
9 for corrective actions at leaking underground and
10 aboveground storage tank sites, orphan site remediation and
11 remediation at solid waste landfills may be used for any
12 purposes authorized in this article.

13

14 **35-11-1424. Corrective action account created; use of**
15 **monies; cost recovery.**

16

17 (a) There is created the corrective action account.
18 This account is intended to provide for financial assurance
19 coverage required by federal law and shall be used by the
20 department to take corrective action in response to a
21 release and to remediate orphan sites and solid waste
22 landfills. The department shall use monies from the
23 corrective action account as appropriated by the

1 legislature for the administration of this article, and
2 W.S. 35-11-533 through 35-11-537 and 35-11-1701. Interest
3 earned by this account shall be deposited in the general
4 fund. Monies in the corrective action account shall also be
5 used for the state water pollution control revolving loan
6 account pursuant to W.S. 16-1-201 through 16-1-207. Except
7 as provided in subsection (p) of this section, and
8 contingent on availability of money in the corrective
9 action account, the director shall distribute monies in the
10 corrective action account to the solid waste landfill
11 remediation account created by W.S. 35-11-535 and the
12 orphan site remediation account created pursuant to W.S.
13 35-11-1701 on July 1 of each specified year in an amount
14 not less than:

15
16 (i) 2019 - ~~two million dollars (\$2,000,000.00)~~
17 one million dollars (\$1,000,000.00) to the solid waste
18 landfill remediation account and one million dollars
19 (\$1,000,000.00) to the orphan site remediation account;

20
21 (ii) 2020 - ~~five million dollars (\$5,000,000.00)~~
22 four million dollars (\$4,000,000.00) to the solid waste

1 landfill remediation account and one million dollars
2 (\$1,000,000.00) to the orphan site remediation account;

3
4 (iii) 2021 - ~~six million dollars (\$6,000,000.00)~~
5 five million dollars (\$5,000,000.00) to the solid waste
6 landfill remediation account and one million dollars
7 (\$1,000,000.00) to the orphan site remediation account;

8
9 (iv) 2022 - ~~six million dollars (\$6,000,000.00)~~
10 five million dollars (\$5,000,000.00) to the solid waste
11 landfill remediation account and one million dollars
12 (\$1,000,000.00) to the orphan site remediation account;

13
14 (v) 2023 - ~~seven million dollars (\$7,000,000.00)~~
15 six million dollars (\$6,000,000.00) to the solid waste
16 landfill remediation account and one million dollars
17 (\$1,000,000.00) to the orphan site remediation account;

18
19 (vi) 2024 ~~and each year thereafter~~ through 2028
20 - provided that in no event shall monies in the corrective
21 action account on July 1 of any year of this period be less
22 than two million dollars (\$2,000,000.00), the director
23 shall:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

(A) Determine expected expenditures from the corrective action account for the underground storage tank program for the next fiscal year and retain monies equal to that amount in the corrective action account;
~~;~~
with

(B) Deposit one million dollars (\$1,000,000.00) from the remainder of the monies in the corrective action account into the orphan site remediation account; and

(C) Deposit the remainder of the monies ~~deposited to~~ from the corrective action account into the solid waste landfill remediation account. ~~;~~ ~~but in no event shall monies in the corrective action account on July 1 of any year be less than five million dollars (\$5,000,000.00).~~

(vii) 2029 and each year thereafter - the director shall determine expected expenditures from the corrective action account for the underground storage tank program for the next fiscal year and retain monies equal to that amount in the corrective action account, with the

1 remainder of the monies being divided and deposited at the
2 director's discretion into the solid waste landfill
3 remediation account and the orphan site remediation
4 account, but in no event shall monies in the corrective
5 action account on July 1 of any year be less than two
6 million dollars (\$2,000,000.00).

7
8 (p) The director is authorized to withhold
9 distributions from the corrective action account to the
10 ~~municipal~~ solid waste remediation account and the orphan
11 site remediation account as provided in subsection (a) of
12 this section in the event of:

13
14 **35-11-1701. Orphan site remediation; account created.**

15
16 (a) There is created an orphan site remediation
17 account. The director may expend funds contained within the
18 account ~~under W.S. 35-11-424(a)~~ for the purpose of
19 remediation of orphan sites and the performance of any
20 other activity as defined in this article.

21

1 (h) The director may transfer funds in the account
2 under W.S. 35-11-424(a) to the orphan site remediation
3 account.

4

5 **Section 2.** This act is effective July 1, 2018.

6

7

(END)