



H.B. 700

123rd General Assembly
(As Introduced)

Reps. Schuring, Stevens

BILL SUMMARY

- Decreases from 270 days to 180 days the time within which a permit application for a solid waste landfill must be approved or disapproved and establishes additional procedures for the approval or disapproval of that application.
- Prohibits the expansion of a landfill over the top of solid waste placement areas that do not include a liner for the prevention of the migration of wastes.
- Declares an emergency.

CONTENT AND OPERATION

Time period and procedure for approving or disapproving a permit for a solid waste landfill

Current law requires each person proposing to open a new solid waste facility or to modify an existing solid waste facility to submit an application for a permit to the Environmental Protection Agency at least 270 days before proposed operation of the facility (sec. 3734.05(A)(2)(a)). Current law also establishes specific procedures that must be completed prior to the approval or disapproval of the application, including the submission of detail plans and specifications regarding the facility, the submission of application fees, the holding of a public meeting, and the holding of a public information session and hearing concerning the application (sec. 3734.05(A)(2)(a) to (e)).

The bill changes certain of those requirements for solid waste landfills only. Under the bill, each person proposing to open a new solid waste landfill or to modify an existing solid waste landfill must submit an application for a permit at least 180 days before the proposed operation or modification of the landfill. The

Director must issue a final action on such an application not later than 180 days after the submission of a complete application. Prior to issuing the final action, the Director must comply with all existing requirements related to permit applications, including public hearing and public meeting requirements. However, if, after the public meeting held concerning the application and upon review of the application, the Director determines that the application is deficient in any manner, the Director must issue a letter of deficiency to the applicant that sets forth the aspects of the application that are deficient. An application that is determined to be deficient cannot be considered to be complete. The person must respond to the letter of deficiency by revising the application or any engineering plans, specifications, or other information not later than 180 days after receiving the letter. (Sec. 3734.05(A)(2)(g).)

If the person does not respond to the letter of deficiency within the 180 days, the Director must issue an order denying the application. If the person responds within that time, the Director must conduct an additional public meeting and, if a public information session and hearing have not yet been held concerning the application, the required public information session and hearing concerning the application. The Director must issue a final action on the application not later than 180 days after the person responds to the letter of deficiency, provided that the Director determines that the application is complete. (Sec. 3734.05(A)(2)(g).)

Prohibitions of certain expansions of solid waste landfills

The bill prohibits anyone from expanding the limits of solid waste placement at a solid waste landfill over the top of placement areas that do not include a liner designed, constructed, and installed to prevent migration of wastes into adjacent subsurface soil, ground water, or surface water (sec. 3734.05(A)(2)(h)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-10-00	p. 1940

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