

HOUSE JOINT RESOLUTION NO. 18

INTRODUCED BY MENAHAN, BLOTKAMP, LYNCH, ELLIOTT, PAVLOVICH,
PIPINICH, HAYNE, HANNAH, GILBERT, GIACOMETTO, GRADY, GOOD,
SWYSGOOD, COMPTON, HANSON, DRISCOLL, SWIFT, HOFFMAN, CLARK,
ZOOK, GUTHRIE, COBB, KASTEN, PATTERSON, DEBRUYCKER, SIMON,
LEE, RICE, SIMPKINS, THOFT, REHBERG, HARRINGTON, SQUIRES,
COCCHIARELLA, REAM, J. BROWN, KOEHNKE, DAVIS, BROOKE,
RUSSELL, HANSEN, CONNELLY, KADAS, TVEIT, MOORE

IN THE HOUSE

FEBRUARY 6, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
FEBRUARY 7, 1989	FIRST READING.
FEBRUARY 14, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 15, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 94; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
MARCH 14, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 18, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House JOINT RESOLUTION NO. *18* *Parlor*

INTRODUCED BY *Merrill* *Hoffman* *Lynd* *Ellis*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF

REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED

STATES ENVIRONMENTAL PROTECTION AGENCY TO RECONSIDER AND

REVISE ITS PROPOSED REGULATIONS FOR SOLID WASTE LANDFILLS;

AND URGING THE UNITED STATES CONGRESS TO PROVIDE THE STATES

WITH THE FINANCIAL RESOURCES NECESSARY TO IMPLEMENT ANY NEW

REGULATIONS FOR SOLID WASTE LANDFILLS.

WHEREAS, in 1988, the United States Environmental

Protection Agency (EPA) released proposed minimum federal

regulations for solid waste landfills, which were prompted

by studies demonstrating significant nationwide ground water

pollution caused by substances leaching from landfills; and

WHEREAS, the EPA rules would set strict requirements for

ground water monitoring (both ongoing and for 30 years after

closure of the landfill), financial assurance,

recordkeeping, inspection of landfill loads for hazardous

waste, and leak prevention for new landfills; and

WHEREAS, the proposed regulations are open for comment,

with final regulations to be adopted in late 1989 and to

become effective in early 1991; and

WHEREAS, if adopted as drafted, the EPA regulations

would have major effects on Montana's landfills, which now number 140, the large majority of which were licensed before there was concern over ground water contamination and are operated by rural communities that have neither the financial nor technical resources to meet the proposed requirements; and

WHEREAS, the proposed EPA regulations come at a time when the state's solid waste program is minimally staffed and is already unable to meet its current responsibilities of licensing, inspecting, and assisting existing landfills to ensure that public health concerns are met; and

WHEREAS, state officials believe that as EPA moves toward adoption of the new landfill regulations, many landfills are likely to close rather than meet the costs associated with those new regulations, because those that remain open--even for only 1 day after the regulations become effective--will be responsible for 30 years of water quality monitoring and for other requirements; and

WHEREAS, the Department of Health and Environmental Sciences has already been contacted by dozens of communities that are aware of the pending regulations and that are seeking direction for future action, and the department's staff resources are too limited to respond adequately to requests for assistance.

LC 1147/01

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
2 OF REPRESENTATIVES OF THE STATE OF MONTANA:

3 (1) That the Legislature recognizes the concern over
4 pollution of ground water from materials leached from
5 landfills but urges the EPA to reconsider its proposed
6 regulations and to amend them to make their effects on rural
7 communities less onerous.

8 (2) That the Legislature urges the United States
9 Congress to provide funding for states to implement any new
10 regulations that may be adopted for solid waste landfills.

11 (3) That copies of this resolution be sent to the
12 administrator of the EPA and to each member of Montana's
13 Congressional Delegation.

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

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REVISE CONSIDER THE COST EFFECTS OF ITS PROPOSED REGULATIONS
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NECESSARY TO IMPLEMENT ANY NEW REGULATIONS FOR SOLID WASTE
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for ground water monitoring (both ongoing and for 30 years

after closure of the landfill), financial assurance,
recordkeeping, inspection of landfill loads for hazardous
waste, and leak prevention for new landfills; and

WHEREAS, the proposed regulations are open for comment,
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remain open--even for only 1 day after the regulations
become effective--will be responsible for 30 years of water
quality monitoring and for other requirements; and

1 WHEREAS, the Department of Health and Environmental
2 Sciences has already been contacted by dozens of communities
3 that are aware of the pending regulations and that are
4 seeking direction for future action, and the department's
5 staff resources are too limited to respond adequately to
6 requests for assistance.

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8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
9 OF REPRESENTATIVES OF THE STATE OF MONTANA:

10 (1) That the Legislature recognizes the concern over
11 pollution of ground water from materials leached from
12 landfills but urges the EPA to ~~reconsider~~ CONSIDER THE COST
13 EFFECTS OF its proposed regulations ~~and--to--amend--them--to~~
14 ~~make-their-effects~~ on rural communities ~~less-onerous~~.

15 (2) That the Legislature urges the United States
16 Congress to provide funding for states to implement any new
17 regulations that may be adopted for solid waste landfills.

18 (3) That copies of this resolution be sent to the
19 administrator of the EPA and to each member of Montana's
20 Congressional Delegation.

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HJR 0018/02

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