# 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 S	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.

LC 1147/01

ALLSE JOINT RESOLUTION NO. 1 INTRODUCED BY ME 11 at 2 TSoffun 3 JOINT ORESOLUTION HOUSE 71. Ha ONTANA URGING THE UNITED REPRESENTATIVES Kice Smithing PECONSIDER AND STATES ENVIRONMENTAL PROTECTION J. Blow askid! Ma Ream any Harringh un PROPOSED RECOLATIONS FOR SOLID WASTE LANDFILLS; REVISE ting the porese Che. URGING THE UNITED STATES CONGRESS TO PROVIDE THE STATES Maria THE FINANCIAL RESOURCES NECESSARY TO IMPLEMENT ANY NEW 9 REGULATIONS FOR SOLID WASTE LANDFILLS. 10

11

Environmental 12 WHEREAS, in 1988, the United States Protection Agency (EPA) released proposed minimum federal 13 14 regulations for solid waste landfills, which were prompted by studies demonstrating significant nationwide ground water 15 pollution caused by substances leaching from landfills; and 16 WHEREAS, the EPA rules would set strict requirements for 17 ground water monitoring (both ongoing and for 30 years after 18 19 closure of the landfill), financial assurance, 20 recordkeeping, inspection of landfill loads for hazardous waste, and leak prevention for new landfills; and 21

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

25 WHEREAS, if adopted as drafted, the EPA regulations

ntana Legislative Council

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

7 WHEREAS, the proposed EPA regulations come at a time 8 when the state's solid waste program is minimally staffed 9 and is already unable to meet its current responsibilities 10 of licensing, inspecting, and assisting existing landfills 11 to ensure that public health concerns are met; and

12 WHEREAS, state officials believe that as EPA moves 13 toward adoption of the new landfill regulations, many 14 landfills are likely to close rather than meet the costs 15 associated with those new regulations, because those that 16 remain open--even for only 1 day after the regulations 17 become effective--will be responsible for 30 years of water 18 quality monitoring and for other requirements; and

19 WHEREAS, the Department of Health and Environmental 20 Sciences has already been contacted by dozens of communities 21 that are aware of the pending regulations and that are 22 seeking direction for future action, and the department's 23 staff resources are too limited to respond adequately to 24 requests for assistance.

25

-2- INTRODUCED BILL HJR 18

## LC 1147/01

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 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-

#### 51st Legislature

#### HJR 0018/02

#### HJR 0018/02

## APPROVED BY COMM. ON NATURAL RESOURCES

HOUSE JOINT RESOLUTION NO. 18 1 INTRODUCED BY MENAHAN, BLOTKAMP, LYNCH, ELLIOTT, PAVLOVICH, 2 3 PIPINICH, HAYNE, HANNAH, GILBERT, GIACOMETTO, GRADY, GOOD, 4 SWYSGOOD, COMPTON, HANSON, DRISCOLL, SWIFT, HOFFMAN, CLARK, 5 ZOOK, GUTHRIE, COBB, KASTEN, PATTERSON, DEBRUYCKER, SIMON, 6 LEE, RICE, SIMPKINS, THOFT, REHBERG, HARRINGTON, SOUIRES. 7 COCCHIARELLA, REAM, J. BROWN, KOEHNKE, DAVIS, BROOKE, 8 RUSSELL, HANSEN, CONNELLY, KADAS, TVEIT, MOORE 9 A JOINT RESOLUTION OF THE SENATE AND THE 10 HOUSE OF 11 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED 12 STATES ENVIRONMENTAL PROTECTION AGENCY TO RECONSIDER -- AND 13 REVISE CONSIDER THE COST EFFECTS OF ITS PROPOSED REGULATIONS FOR SOLID WASTE LANDFILLS; AND URGING THE UNITED STATES 14 15 CONGRESS TO PROVIDE THE STATES WITH THE FINANCIAL RESOURCES 16 NECESSARY TO IMPLEMENT ANY NEW REGULATIONS FOR SOLID WASTE LANDFILLS. 17

18

19 WHEREAS, in 1988, the United States Environmental 20 Protection Agency (EPA) released proposed minimum federal 21 regulations for solid waste landfills, which were prompted 22 by studies demonstrating significant nationwide ground water 23 pollution caused by substances leaching from landfills; and 24 WHEREAS, the EPA rules would set strict requirements 25 for ground water monitoring (both ongoing and for 30 years

itana Legislative Council

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

4 WHEREAS, the proposed regulations are open for comment, 5 with final regulations to be adopted in late 1989 and to 6 become effective in early 1991; and

7 WHEREAS, if adopted as drafted, the EPA regulations 8 would have major effects on Montana's landfills, which now 9 number 140, the large majority of which were licensed before 10 there was concern over ground water contamination and are 11 operated by rural communities that have neither the 12 financial nor technical resources to meet the proposed 13 requirements; and

14 WHEREAS, the proposed EPA regulations come at a time 15 when the state's solid waste program is minimally staffed 16 and is already unable to meet its current responsibilities 17 of licensing, inspecting, and assisting existing landfills 18 to ensure that public health concerns are met; and

19 WHEREAS, state officials believe that as EPA moves 20 toward adoption of the new landfill regulations, many 21 landfills are likely to close rather than meet the costs 22 associated with those new regulations, because those that 23 remain open--even for only 1 day after the regulations 24 become effective--will be responsible for 30 years of water 25 quality monitoring and for other requirements; and

-2-

SECOND READING

HJR 18

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.

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

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

(2) That the Legislature urges the United States
Congress to provide funding for states to implement any new
regulations that may be adopted for solid waste landfills.
(3) That copies of this resolution be sent to the
administrator of the EPA and to each member of Montana's
Congressional Delegation.

-End-

-3-

<sup>7</sup> 

1 HOUSE JOINT RESOLUTION NO. 18 2 INTRODUCED BY MENAHAN, BLOTKAMP, LYNCH, ELLIOTT, PAVLOVICH, PIPINICH, HAYNE, HANNAH, GILBERT, GIACOMETTO, GRADY, GOOD, 3 Δ SWYSGOOD, COMPTON, HANSON, DRISCOLL, SWIFT, HOFFMAN, CLARK, ZOOK, GUTHRIE, COBB, KASTEN, PATTERSON, DEBRUYCKER, SIMON, 5 LEE, RICE, SIMPKINS, THOFT, REHBERG, HARRINGTON, SOUIRES. 6 7 COCCHIARELLA, REAM, J. BROWN, KOEHNKE, DAVIS, BROOKE, RUSSELL, HANSEN, CONNELLY, KADAS, TVEIT, MOORE 8 9 A JOINT RESOLUTION OF THE SENATE AND THE 10 HOUSE OF 11 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED 12 STATES ENVIRONMENTAL PROTECTION AGENCY TO RECONSIDER -- AND 13 REVISE CONSIDER THE COST EFFECTS OF ITS PROPOSED REGULATIONS FOR SOLID WASTE LANDFILLS: AND URGING THE UNITED STATES 14 15 CONGRESS TO PROVIDE THE STATES WITH THE FINANCIAL RESOURCES 16 NECESSARY TO IMPLEMENT ANY NEW REGULATIONS FOR SOLID WASTE LANDFILLS. 17 18

19 WHEREAS, in 1988, the United States Environmental 20 Protection Agency (EPA) released proposed minimum federal 21 regulations for solid waste landfills, which were prompted 22 by studies demonstrating significant nationwide ground water 23 pollution caused by substances leaching from landfills; and 24 WHEREAS, the EPA rules would set strict requirements 25 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

4 WHEREAS, the proposed regulations are open for comment, 5 with final regulations to be adopted in late 1989 and to 6 become effective in early 1991; and

7 WHEREAS, if adopted as drafted, the EPA regulations 8 would have major effects on Montana's landfills, which now 9 number 140, the large majority of which were licensed before 10 there was concern over ground water contamination and are 11 operated by rural communities that have neither the 12 financial nor technical resources to meet the proposed 13 requirements; and

14 WHEREAS, the proposed EPA regulations come at a time 15 when the state's solid waste program is minimally staffed 16 and is already unable to meet its current responsibilities 17 of licensing, inspecting, and assisting existing landfills 18 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 guality monitoring and for other requirements; and

-2-

HJR 18

THIRD READING

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.

7

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

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

(2) That the Legislature urges the United States
Congress to provide funding for states to implement any new
regulations that may be adopted for solid waste landfills.
(3) That copies of this resolution be sent to the
administrator of the EPA and to each member of Montana's
Congressional Delegation.

-End-

-3-

HOUSE JOINT RESOLUTION NO. 18 1 INTRODUCED BY MENAHAN, BLOTKAMP, LYNCH, ELLIOTT, PAVLOVICH, 2 PIPINICH, HAYNE, HANNAH, GILBERT, GIACOMETTO, GRADY, GOOD, 3 SWYSGOOD, COMPTON, HANSON, DRISCOLL, SWIFT, HOFFMAN, CLARK. 4 ZOOK, GUTHRIE, COBB, KASTEN, PATTERSON, DEBRUYCKER, SIMON, S LEE, RICE, SIMPKINS, THOFT, REHBERG, HARRINGTON, SQUIRES, 6 7 COCCHIARELLA, REAM, J. BROWN, KOEHNKE, DAVIS, BROOKE, 8 RUSSELL, HANSEN, CONNELLY, KADAS, TVEIT, MOORE 9 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF 10 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED 11 12 STATES ENVIRONMENTAL PROTECTION AGENCY TO RECONSIDER -- AND 13 REVISE CONSIDER THE COST EFFECTS OF ITS PROPOSED REGULATIONS 14 FOR SOLID WASTE LANDFILLS; AND URGING THE UNITED STATES 15 CONGRESS TO PROVIDE THE STATES WITH THE FINANCIAL RESOURCES 16 NECESSARY TO IMPLEMENT ANY NEW REGULATIONS FOR SOLID WASTE 17 LANDFILLS.

18

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

tana Legislative Counci

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

4 WHEREAS, the proposed regulations are open for comment, 5 with final regulations to be adopted in late 1989 and to 6 become effective in early 1991; and

7 WHEREAS, if adopted as drafted, the EPA regulations 8 would have major effects on Montana's landfills, which now 9 number 140, the large majority of which were licensed before 10 there was concern over ground water contamination and are 11 operated by rural communities that have neither the 12 financial nor technical resources to meet the proposed 13 requirements; and

14 WHEREAS, the proposed EPA regulations come at a time 15 when the state's solid waste program is minimally staffed 16 and is already unable to meet its current responsibilities 17 of licensing, inspecting, and assisting existing landfills 18 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 guality monitoring and for other requirements; and

-2-

HJR 18

# REFERENCE BILL

HJR 0018/02

er menere a contener la managemente de la construction de la const

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.

```
7
```

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.

(2) That the Legislature urges the United States
Congress to provide funding for states to implement any new
regulations that may be adopted for solid waste landfills.
(3) That copies of this resolution be sent to the
administrator of the EPA and to each member of Montana's
Congressional Delegation.

-End-

-3- HJR 18