

HB0129 - Reclamation of surface coal mines-turbine blades.

The current version of the bill text is displayed below. To view all versions of the bill with page and line numbers, use the PDF documents located to the right, under "Bill Versions & Resources."

2020

STATE OF WYOMING

20LSO-0241
ENGROSSED

HOUSE BILL NO. HB0129

Reclamation of surface coal mines-turbine blades.

Sponsored by: Representative(s) Barlow, Burkhart, Clem, Greear, Harshman, Larsen, Miller, Sommers and Stith and Senator(s) Anderson, Bebout, Rothfuss and Von Flatern

A BILL

for

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 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 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:

(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)

Sponsor:

Representative Barlow

Co-Sponsor:

Representative(s) Burkhart, Clem, Greear, Harshman, Larsen, Miller, Sommers, Stith
Senator(s) Anderson, Bebout, Rothfuss, Von Flatern

Bill Versions and Resources:

- Introduced  Version initially introduced on the floor for debate.
 - Engrossed  Version that includes adopted amendments from first chamber.
 - Fiscal note  Estimate of the fiscal and personnel impact to the state for the bill.
 - Digest  A summary of proceedings for the bill as it moves through the process.
-

Last Action:

S COW:Passed

Last Action Date:

03/06/2020

Scheduled Floor Sessions

Senate Second Reading 03/09/2020 - 10:00 AM

Scheduled Committee Meetings

No Meetings Currently Scheduled

Date	Action	Location	Vote
03/06/2020	S COW:Passed	Senate	
03/05/2020	S Placed on General File	Senate	
03/05/2020	S09 - Minerals:Recommend Do Pass 4-0-1-0-0	Senate	Details
02/28/2020	S Introduced and Referred to S09 - Minerals	Senate	
02/27/2020	S Received for Introduction	Senate	
02/26/2020	H 3rd Reading:Passed 56-3-1-0-0	House	Details
02/25/2020	H 2nd Reading:Passed	House	
02/24/2020	H COW:Passed	House	
02/17/2020	H Placed on General File	House	
02/17/2020	H09 - Minerals:Recommend Amend and Do Pass 8-1-0-0-0	House	Details
02/11/2020	H Introduced and Referred to H09 - Minerals 58-0-2-0-0	House	Details
02/07/2020	H Received for Introduction	House	
02/07/2020	Bill Number Assigned	LSO	

House Amendments

Amendment ↑	Origin	Sponsor	Status
HB0129HS001	Standing Committee House Minerals, Business and Economic Development		Adopted

Senate Amendments

Amendment ↑	Origin	Sponsor	Status
Reclamation of surface coal mines-turbine blades.			20LSO-0241, 1.0

FISCAL NOTE

No significant fiscal or personnel impact.

Prepared by: Leanne Hoag, LSO Phone: 777-7881
(Information provided by Joe Franken, Dept. of Environmental Quality, 777-7198; Jim Ruby, Environmental Quality Council, 777-7260)

HB0129

H Introduced and Referred to H09 - Minerals 58-0-2-0-0

Vote recorded: 2/11/2020 3:30PM

Ayes: BARLOW, BLACKBURN, BLAKE, BROWN, BURKHART, BURLINGAME, CLAUSEN, CLEM, CLIFFORD, CONNOLLY, CRANK, DAYTON-SELMAN, DUNCAN, EDWARDS, EKLUND, EYRE, FLITNER, FURPHY, GRAY, HALEY, HALLINAN, HUNT, JENNINGS, KINNER, KIRKBRIDE, LARSEN LLOYD, LINDBOLM, LOUCKS, MACGUIRE, MILLER, NEWSOME, NICHOLAS, NORTHRUP, OBERMUELLER, OLSEN, PAXTON, PELKEY, PIIPARINEN, POWNALL, ROSCOE, SALAZAR, SCHWARTZ, SIMPSON, SOMMERS, STITH, STYVAR, SWEENEY, TASS, WALTERS, WASHUT, WESTERN, WILSON, WINTER, YIN, ZWONITZER

Nays: NONE

Excused: NONE

Absent: NONE

Conflict: NONE

Total Ayes: 56 Nays: 3 Excused: 1 Absent: 0 Conflict: 0

Absent: relating to environmental quality; requiring the environmental quality council to establish rules and regulations for uses of wind turbine materials as specified; amending

Conflict: relating to environmental quality; requiring the environmental quality council to establish rules and regulations for uses of wind turbine materials as specified; amending

Total Ayes: 56 Nays: 3 Excused: 1 Absent: 0 Conflict: 0

conflict; making conforming amendments; and providing for an effective date.

2/7/2020 Bill Number Assigned
 2/7/2020 H Received for Introduction
 2/11/2020 H Introduced and Referred to H09 - Minerals 58-0-2-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhardt, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Greear, Henderson
Ayes 58 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

2/17/2020 H09 - Minerals:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhardt, Crank, Duncan, Eyre, Furphy, Greear, Henderson, Macguire
Nays: Representative Loucks
Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2020 H Placed on General File

HB0129HS001/ADOPTED

Page 1-line 4 After "specified;" insert "amending definitions;".

Page 1-line 9 After "W.S." insert "35-11-103(d)(ii)(E) and (F) and by creating a new subparagraph (G) and (iv),".

Page 1-line 10 Delete "is" and insert "and 35-12-102(a)(vii)(A) are".

Page 1-after line 11 Insert:

"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 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);".

Page 3-after line 23 Insert:

"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:

(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);". GREEAR, CHAIRMAN

2/24/2020 H COW:Passed

2/25/2020 H 2nd Reading:Passed

2/26/2020 H 3rd Reading:Passed 56-3-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blake, Brown, Burkhardt, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd,

Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Gray, Laursen Dan, Washut

Excused: Representative Blackburn

Ayes 56 **Nays** 3 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2020 S Received for Introduction

2/28/2020 S Introduced and Referred to S09 - Minerals

3/5/2020 S09 - Minerals:Recommend Do Pass 4-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Coe, Rothfuss, Wasserburger

Excused: Senator Biteman

Ayes 4 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

3/5/2020 S Placed on General File

3/6/2020 S COW:Passed

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