

2-22-13

SR 364

Amendments to Senate Bill No. 364
1st Reading Copy

Requested by Senator Chas Vincent

For the Senate Natural Resources Committee

Prepared by Sonja Nowakowski
February 20, 2013 (6:24pm)

1. Title, page 1, line 7.

Following: "SECTIONS"

Insert: "75-10-204 AND"

Strike: "AND 75-10-405"

2. Page 1.

Following: line 10

Insert: "Section 1. Section 75-10-204, MCA, is amended to read:
"75-10-204. Powers and duties of department. The department shall, subject to the provisions of 75-10-107, adopt rules governing solid waste management systems that must include but are not limited to:

(1) requirements for the plan of operation and maintenance that must be submitted with an application under this part;

(2) the classification of disposal sites according to the physical capabilities of the site to contain the type of solid waste to be disposed of;

(3) the procedures to be followed in the disposal, treatment, or transport of solid wastes;

(4) the suitability of the site from a public health standpoint when hydrology, geology, and climatology are considered;

(5) requirements relating to ground water monitoring, including but not limited to:

(a) information that owners and operators of municipal solid waste landfills and other disposal sites specified in 75-10-207 are required to submit to the department to enable the department to prepare the priority compliance list authorized by 75-10-207(3);

(b) the content of plans for the design, construction, operation, and maintenance of monitoring wells and monitoring systems; and

(c) recordkeeping and reporting;

(6) the imposition of a quarterly fee based on the justifiable direct and indirect costs to the state of administering Title 75, chapter 10, parts 1 and 2, for solid waste generated outside Montana and disposed of or incinerated within Montana;

(7) requirements to maintain financial assurance payable to the state of Montana with a surety satisfactory to the department

in an amount sufficient to provide for waste tire treatment, removal, transportation, and disposal, fire suppression, or other measures necessary to protect the environment and the health, safety, and welfare of the public;

(8) requirements for coal combustion residues at electrical generation facilities in order to provide for state implementation of federal legislation or federal environmental protection agency regulations that contain legislative or regulatory requirements pertaining to coal combustion residues and that become effective on or after [the effective date of this act]; and

~~(8)~~(9) any other factors relating to the sanitary disposal or management of solid wastes."

{ Internal References to 75-10-204:

75-10-104x 75-10-206x 75-10-206x }"

Renumber: subsequent sections

3. Page 1, line 18.

Strike: "75-10-405(1)(o)"

Insert: "75-10-204(8)"

4. Page 1, line 25 through page 3, line 14.

Strike: section 2 in its entirety

Renumber: subsequent section

- END -