

1999 SENATE BILL 457

March 8, 2000 – Introduced by Senators LAZICH and SCHULTZ, cosponsored by Representatives GUNDRUM, MUSSER and BLACK. Referred to Committee on Agriculture, Environmental Resources and Campaign Finance Reform.

1 **AN ACT** *to amend* 289.28 (1) (a) and 289.29 (1) (d) of the statutes; **relating to:**
2 excluding areas outside of this state in determining a service area for assessing
3 the need for a proposed solid waste disposal facility or hazardous waste facility
4 and the design capacity of such a facility.

Analysis by the Legislative Reference Bureau

Under current law, as part of the process for approving a solid waste disposal facility or hazardous waste facility, the department of natural resources (DNR) must generally determine whether there is a need for the facility. In considering whether there is a need for a facility, DNR determines an approximate service area for the facility and determines the quantity of waste suitable for disposal in the facility that is generated within that service area. If DNR determines that there is insufficient need for the facility, the facility may not be constructed. Current law also prohibits DNR from approving a facility if the design capacity of the facility exceeds the waste expected to be disposed of at the facility within 15 years after the facility begins operation.

This bill prohibits DNR from including any area outside of this state in determining a service area for a proposed solid waste disposal facility or hazardous waste facility when determining the need for the proposed facility. The bill also specifies that DNR may not approve a facility if the design capacity of the facility exceeds the amount of waste generated within the anticipated service area that is

