

ORIGINAL HOUSE
BILL NO. HB0123

ENGROSSED

ENROLLED ACT NO. 36, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to environmental quality; requiring the environmental quality council to establish rules for uses and disposal of inert material in non-coal mining sites as specified; providing definitions; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-11-103(d)(ii)(G) and (e) by creating a new paragraph (xxxi) and 35-11-402(a) by creating a new paragraph (xv) 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:

(G) Lands and facilities subject to W.S. 35-11-402(a)(xiii) or (xv).

(e) Specific definitions for land quality:

(xxxi) "Inert material" means a material that is suitable as backfill into non-coal mining sites as determined by W.S. 35-11-402(a)(xv).

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

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reclamation standards for the affected areas, including but not limited to:

(xv) Rules and regulations governing the use of inert material as backfill for non-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 inert material 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) Disposal fees to be remitted to the department by the operator who allows disposal of inert material in non-coal mining sites, which shall be ten percent (10%) of any revenues collected by the operator for the disposal of the inert material. The fees collected under this subparagraph shall be credited to the general fund;

(C) The incorporation or amendment of any rules pertaining to solid and hazardous waste necessary to allow for the disposal of inert material in non-coal mining sites to be reclaimed.

Section 2. The department of environmental quality and the environmental quality council shall promulgate all rules necessary to implement this act.

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Section 3.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2022.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk