

Cameras

92LSO-0294

SENATE FILE 0024

SENATE FILE

SF0024

AN ACT relating to public health; imposing fees on facilities subject to hazardous waste corrective action requirements as specified; requiring return of fees upon termination of state regulation; and providing for an effective date.

Cameras

Introduced by:

SENATE ACTION ON SENATE FILE

114 ☒ Introduced
Aye ___ No ___ Ex ___ Ab ___
☒ Read First Time and Ref. to
Committee No. 9
☐ Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Re-referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Sent to House (No Amendments)
Sent to LSO for Engrossing
ENGROSSED
Sent to House

HOUSE ACTION ON SENATE FILE

Received. Read First Time.
Referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Re-referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
Sent to Senate
Sent for Enrolling
SEA No. ___
Signed by President
Signed by Speaker
Approved by Governor
Chapter No. ___

INTRODUCED

SENATE FILE NO. SF0024

Hazardous waste-corrective action fees.

Sponsored by: Senator(s) Cameron

A BILL

for

1 AN ACT relating to public health; imposing fees on
2 facilities subject to hazardous waste corrective action
3 requirements as specified; requiring return of fees upon
4 termination of state regulation; and providing for an
5 effective date.

6

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

8

9 **Section 1.** W.S. 35-11-517(a), (b) and (c)(i) through
10 (iii) and 35-11-520(b)(i) are amended to read:

11

12 **35-11-517. Fees applicable to hazardous waste**
13 **treatment, storage and disposal facility operators and to**
14 **facilities subject to hazardous waste corrective actions.**

15

16 (a) The department shall implement a permit fee system
17 and schedule of fees which are applicable to hazardous waste
18 treatment, storage and disposal facilities, and to

1 facilities subject to hazardous waste corrective action
2 requirements under this article.

3

4 (b) Permit and corrective action fees shall be
5 collected from ~~applicants for permits for~~ any facility
6 subject to subsection (a) of this section, and annually from
7 those existing facilities for the duration of the operating,
8 closure and post-closure permit or corrective action period.
9 The permit and corrective action fees ~~for applicants for~~
10 ~~permits~~ and the annual fees for inspection and enforcement
11 shall be based on the facility type and size. The
12 department shall develop a fee structure which, to the
13 extent feasible, equitably apportions the department's
14 estimated costs of implementing the requirements of this act
15 applicable to the facilities, which is based on measurable
16 goals, and which is sufficient to recover the amount
17 reviewed by the joint appropriations interim committee and
18 appropriated by the legislature for implementing the
19 hazardous waste treatment, storage and disposal permitting
20 and corrective action program. The fee amount shall be
21 sufficient to provide adequate enforcement of compliance
22 with the hazardous waste requirements of this act, as
23 required in section 3006(b) of the Resource Conservation and
24 Recovery Act, 42 U.S.C. 6926(b). The department shall
25 prepare a biennium report for review by the joint minerals,

1 business and economic development interim committee by
2 October 31 of the year prior to the Wyoming legislative
3 budget session.

4

5 (c) Fees shall cover all reasonable direct and
6 indirect costs including the costs of:

7

8 (i) Reviewing and acting upon any permit
9 application or corrective action plan, including
10 applications for major permit amendments;

11

12 (ii) Implementing and enforcing permits and
13 corrective action plans; and

14

15 (iii) Carrying out permit, corrective action and
16 inspection-related functions performed by the department.

17

18 **35-11-520. Termination of state regulation of**
19 **hazardous waste generators and transporters; procedures.**

20

21 (b) The provisions of W.S. 35-11-516 through 35-11-519
22 shall not be effective one hundred eighty (180) days after
23 the adjournment of the legislative session next following
24 the submission of a report under subsection (a) of this
25 section, unless the legislature appropriates the additional

1 funds required. The expiration of the state program
2 pursuant to this subsection shall be subject to the
3 following:

4
5 (i) The annual fee collected by the department
6 under W.S. 35-11-517 shall be remitted to the facility owner
7 on a prorated basis upon termination of regulation by the
8 state under this section. Any remaining corrective action
9 fees collected by the department under W.S. 35-11-517 shall
10 be remitted to the facility owner upon termination of
11 regulation by the state under this section;

12
13 **Section 2.** This act is effective immediately upon
14 completion of all acts necessary for a bill to become law as
15 provided by Article 4, Section 8 of the Wyoming
16 Constitution.

17

18

(END)

FISCAL NOTE

No significant fiscal or personnel impact.

Prepared by: Dennis Hemmer

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