



HB0123

Mine reclamation-disposal of materials.

Sponsored By: Representative(s) Barlow, Bear, Burkhart, Greear, Knapp and Larsen and Senator(s) Anderson, Driskill, Rothfuss and Wasserburger

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.

2/15/2022 Bill Number Assigned
2/15/2022 H Received for Introduction
2/18/2022 H Introduced and Referred to H09 - Minerals 57-3-0-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Kinner, Knapp, Larsen, L, Laursen, D, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Gray, Jennings, Styvar

Ayes 57 Nays 3 Excused 0 Absent 0 Conflicts 0

2/24/2022 H09 - Minerals:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Bear, Burkhart, Jr, Duncan, Eyre, Gray, Greear, Heiner, Sherwood, Western

Ayes 9 Nays 0 Excused 0 Absent 0 Conflicts 0

2/24/2022 H Placed on General File

HB0123HS001/ADOPTED

Page 1-line 12 Delete "35-11-402(a)(xiii)(C) and" and insert "35-11-402(a)".

Page 2-lines 19 through 23 Delete entirely.

Page 3-lines 1 through 9 Delete entirely. GREEAR, CHAIRMAN

2/24/2022 H COW:Passed
2/25/2022 H 2nd Reading:Passed

HB0123H3001/ADOPTED

Page 1-line 7 Delete "an effective date" and insert "effective dates".

Page 2-line 5 After "any material" insert "or combination of materials".

Page 2-line 6 Delete entirely and insert "will undergo".

Page 2-line 7 Delete "significant" and insert "minimal".

Page 3-line 13 After "plan" insert ", including a timely process for the department to consider applications for approval to use inert materials in the reclamation plan".

Page 4-lines 1 through 3 Delete entirely and renumber as necessary.

Page 4-line 5 Delete "(C)" and insert "(B)".

Page 4-line 13 Delete "(D)" and insert "(C)".

Page 4-line 18 Delete entirely and insert:

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

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." BARLOW

2/28/2022 H 3rd Reading:Passed 57-2-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Gray, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Jennings, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Fortner, Laursen, D

Excused: Representative Blackburn

Ayes 57 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

3/1/2022 S Received for Introduction
 3/1/2022 S Introduced and Referred to S09 - Minerals
 3/3/2022 S09 - Minerals:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Biteman, Cooper, Rothfuss, Wasserburger

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/3/2022 S Placed on General File

HB0123SS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 4 After "specified;" delete balance of line.

Page 1-line 5 Delete entirely.

Page 1-line 6 Delete line through "mines;".

Page 1-line 10 Delete "35-11-103(e)" and insert "35-11-103(d)(ii)(G) and (e)".

Page 1-line 12 After "35-11-402(a)" delete "and".

Page 2-after line 1 Insert:

"(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)".

Page 2-lines 5 through 9 Delete entirely and insert:

"(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)".

Page 2-line 20 Delete "to" and insert "as"; after "backfill" insert "for".

Page 2-line 21 After "plan" delete balance of line.

Page 2-line 22 Delete entirely.

Page 2-line 23 Delete line through "plan". ANDERSON, CHAIRMAN

3/3/2022 S COW:Passed
3/4/2022 S 2nd Reading:Passed
3/7/2022 S 3rd Reading:Passed 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Excused: Senator Perkins

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

3/7/2022 H Received for Concurrence
3/8/2022 H Concur:Passed 56-2-2-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Gray, Hallinan, Haroldson, Harshman, Heiner, Henderson, Jennings, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Fortner, Laursen, D

Excused: Representative(s) Greear, O'hearn

Ayes 56 **Nays** 2 **Excused** 2 **Absent** 0 **Conflicts** 0

3/8/2022 Assigned Number HEA No. 0036
3/9/2022 H Speaker Signed HEA No. 0036
3/9/2022 S President Signed HEA No. 0036
3/17/2022 Governor Signed HEA No. 0036
3/17/2022 Assigned Chapter Number 96

Chapter No. 96 Session Laws of Wyoming 2022