

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.

ORIGINAL HOUSE
BILL NO. HB0123

ENGROSSED

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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