



2015-2016 General Assembly

# HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 4.9: Modify Effective Date for Life-of-Site Permits for Sanitary Landfills and Transfer Stations

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 4.9 of S.L. 2015-286

**Date:**  
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Staff Attorney

**SUMMARY:** *Sec. 4.9 of S.L. 2015-286 amends Sec. 14.20 of S.L. 2015-241, by modifying language in the provision's effective date, and otherwise making clarifying, technical, and conforming changes to the provision. As to the effective date, the provision in S.L. 2015-241 provides that the section becomes effective on July 1, 2016, and applies to new and existing facilities on or after that date; Section 4.9 of S.L. 2015-286 clarifies that permittees are allowed, but not required, to apply for a life-of-site permit on that date.*

**BACKGROUND:** Sec. 14.20 of S.L. 2015-241 extends the duration of permits for sanitary landfills and transfer stations to a facility's life-of-site (from the prior law allowing an option for a 5- or 10-year permit), unless revoked as otherwise provided under the statutes governing solid waste management or upon the expiration of any local government franchise required for the facility. The provision defines "life-of-site" to mean the period from the initial receipt of solid waste at the facility until the Department of Environmental Quality (formerly the Department of Environment and Natural Resources) approves final closure of the facility. The section also:

- Modifies the law governing franchise agreements to provide that these agreements must be granted for the life-of-site of the facility (persons who apply for a permit for a sanitary landfill are required to obtain, prior to application, a franchise from each local government having jurisdiction over any part of the land on which the facility is to be located). This provision is applicable to franchise agreements executed on or after October 1, 2015.
- Changes the fee structure applicable to solid waste management facilities.

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