

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 892

BY: WILLIAMS (Don)

AS INTRODUCED

AN ACT RELATING TO SOLID AND CONTROLLED INDUSTRIAL WASTE; AMENDING 63 O.S. 1991, SECTION 1-2005.3C, WHICH RELATES TO SPECIAL ECONOMIC DEVELOPMENT AREA TRUST FUND; CLARIFYING AREA LOCATED WITHIN THE SPECIAL ECONOMIC DEVELOPMENT TRUST AREA; PROHIBITING THE STATE DEPARTMENT OF HEALTH FROM ISSUING CERTAIN PERMIT FOR LAND APPLICATION OF SEWAGE SLUDGE WITHOUT MEETING CERTAIN REQUIREMENTS; PROVIDING EXCEPTION; DEFINING TERM; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-2005.3C, is amended to read as follows:

Section 1-2005.3C A. The county commissioners of the counties which are within a ten-mile radius of a controlled industrial waste facility which is subject to the provisions of Section 1-2005.3A of ~~Title 63 of the Oklahoma Statutes~~ this title may establish a Special Economic Development Trust Fund for ~~that area~~ those counties.

B. The trust fund shall be used to market advantages of industrial development and to promote industrial development within the counties located within the trust area. Such uses shall allow

the authority to acquire assets, develop property, and to contract with local municipalities or economic development trusts or authorities to promote economic development in the counties located within the trust area.

C. The trust fund shall consist of:

1. All monies received pursuant to Section 1-2005.3A of ~~Title 63 of the Oklahoma Statutes~~ this title;

2. All income from the investment of monies held in the trust fund;

3. Interest resulting from the deposit of such monies; and

4. Any other sums designated for deposit to the fund from any source, public or private.

D. Any trust established pursuant to the provisions of this section shall be governed by the provisions of Sections 176 through 180.4 of Title 60 of the Oklahoma Statutes.

E. 1. Such Trust shall be governed by a Board of Trustees of not less than six (6) nor more than ten (10) members. Each county within the Trust area shall be represented equally on the Board of Trustees.

2. Each Trustee shall be appointed by a majority vote of the county commissioners of the county that the Trustee represents. A Trustee may be removed prior to the expiration of the term of office by a majority vote of the county commissioners of the county that the Trustee represents. In the event there are two or more Trustees from each county, the initial appointments shall be made so that the terms are staggered. After the initial appointment, each Trustee shall serve a term of two (2) years and may be reappointed.

3. The Trustees shall receive no compensation for service on the Board of Trustees, but may be reimbursed for actual and necessary expenses incurred in the performance of their duties as a Trustee in accordance with the State Travel Reimbursement Act.

4. Any action of the Board of Trustees must be approved by a two-thirds (2/3) vote of the total authorized membership of the Board.

5. The Trustees shall have authority to exercise such powers as are necessary to perform the duties and functions imposed by the provisions of this section.

F. The Board of Trustees shall meet not less than twice each calendar year. At the first meeting in a new calendar year the members shall elect a chairman, a vice-chairman, a secretary, and a treasurer.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-2445 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Municipal wastewater sludge that is not comparable to the average chemical quality and nutrient content of municipal wastewater sludge generated within the State of Oklahoma shall not be land applied.

B. The State Department of Health is prohibited from issuing any new permit authorizing the land application of municipal wastewater sludge generated from any source unless such applicant meets the requirements imposed by the Department for a transfer station. For the purpose of this section a transfer station shall mean any disposal site, processing facility or other place where solid waste is transferred from a vehicle or container to another vehicle or container for transportation, including but not limited to, a barge or railroad unloading facility where solid waste, including sewage sludge, in bulk or in containers, is loaded, unloaded, stored, processed or transported for any purpose. The term "transfer station", as used in this section, shall not include a facility where the solid waste that is transferred has been generated by the occupants, residents or functions of the facility or a citizens collection station.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1543

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