

ENGROSSED HOUSE
BILL NO. 1713

By: Beutler of the House

and

Easley of the Senate

(environment and natural resources - county solid waste
management plans - codification - effective date)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2-10-804 of Title 27A, unless
there is created a duplication in numbering, reads as follows:

If funds are available, the Department of Environmental Quality
shall use at least ten percent (10%) of the annual income from the
solid waste fees received under Section 2-10-802 of Title 27A of the
Oklahoma Statutes to assist in implementing county solid waste
management plans developed under Section 2-10-1001 of Title 27A of
the Oklahoma Statutes. The Department shall prioritize its
assistance for enforcement, clean-up and prevention of unpermitted
disposal sites, and the management of solid waste that is hard to
dispose of.

The Department may consult with the Association of County
Commissioners of Oklahoma and the Oklahoma State University
Cooperative Extension Service to assure that boards of county
commissioners receive adequate administrative and technical support
for implementing their county solid waste management plans.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-10-805 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving fund for the Department of Environmental Quality to be designated the "Solid Waste Facility Emergency Closure Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Department for the purpose specified by this section. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

B. The Department shall, after satisfying the requirements of Section 2-10-801 of Title 27A of the Oklahoma Statutes, annually deposit any surplus solid waste fees in the Solid Waste Facility Emergency Closure Revolving Fund until the balance of the fund reaches Three Million Dollars (\$3,000,000.00).

C. The Department shall expend the funds in the Solid Waste Facility Emergency Closure Revolving Fund solely for closure and monitoring activities at closed landfill disposal sites where the owner or operator is unable and the financial assurance as specified in Section 2-10-701 of Title 27A of the Oklahoma Statutes is insufficient to properly close or monitor the site as the Department determines to be necessary to prevent environmental harm.

D. The Department shall seek to recover from the owner or operator, and their successors who may be legally responsible, all costs expended under this section. Such costs shall be a lien with priority over all other obligations arising out of the conduct of business in or the laws of the State of Oklahoma.

SECTION 3. This act shall become effective November 1, 1997.

Passed the House of Representatives the 10th day of March, 1997.

Speaker

of the House of
Representatives

Passed the Senate the ____ day of _____, 1997.

President

of the Senate