

House Research Act Summary

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TOPIC: Superfund Orphan Share Funds and Closed Landfill Program

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Overview

This act amends the state Superfund "orphan share provisions" to authorize the PCA until July 1, 2001 to make grants to pay for a portion of the cost of partial cleanups at state Superfund sites. The PCA can make a grant before the cleanup is completed. This change in law is intended to provide partial funding of the cleanup of the Pig's Eye dump, and could be used at other state Superfund sites.

The act also gives the Western Lake Superior Sanitary District an extra year to operate its industrial landfill and still be eligible for the Closed Landfill Program.

- Orphan share provision.** Authorizes the PCA, until June 30, 2001, to enter into agreements for implementation of a portion of an approved response action plan and to provide up front grants for the same. Provides that the amount of the grant may not exceed the proportion of the costs of the response action plan which is attributable to the liability of responsible persons who are not parties to the agreement (the "orphan share"). Provides that a decision of the PCA to provide a grant, to determine the remedial actions to be included in the agreement, or to determine the amount of a grant provided under this bill is a matter of agency discretion in the exercise of its enforcement authority.

Under existing law, the Pollution Control Agency (PCA) can reimburse parties to a settlement agreement for cleanup costs at state Superfund sites for the "orphan share" costs but the reimbursement occurs after the cleanup has occurred.
- Western Lake Superior Sanitary District; Landfill Cleanup Program.** Allows the Western Lake Superior Sanitary District to operate its demolition and industrial waste disposal facility until January 1, 2002 and still be eligible to enter the Closed Landfill Program. Under existing law, among other things, municipal solid waste landfills must stop accepting demolition and industrial waste at an associated permitted area by January 1, 2001 to be eligible for the Closed Landfill Program.

3 **Effective date.** Provides that the act is effective the day following final enactment.