

Lamb, I need some clarification so that I understand. All right, the existing language...the language in the bill now says, above existing grade level. You want to strike the word "existing" so it would say, above grade level.

SENATOR LAMB: That's correct.

SENATOR CHAMBERS: As of what time or what point or period?

SENATOR LAMB: Well, it will be as of the time when the facility is built. The..the sentence there says the disposal facility shall be built above existing grade levels and designed to meet the state's zero release objective. Okay, the existing grade level of whatever humps and bumps are there are the existing grade. To say that you're going to be above those...all those existing grade levels as they exist now of the raw land, it is really not realistic but it will be above grade, but possibly not above the exact existing grade levels.

SENATOR CHAMBERS: Well, Senator Lamb, I know when a highway is being built and they say they are going to build it at grade, they do level it, they smooth it but they don't recess it into the ground. That would be below grade. So your understanding of existing grade would mean that if somebody is going to construct a building at grade level, then they would have...they would just build it without leveling the ground.

SENATOR LAMB: Well, that's where the confusion would start, I believe, Senator, is what is existing grade. You know, the undulating nature of most sites could be considered existing grade. So this is a clarification amendment just to make sure that that is not the interpretation.

SENATOR CHAMBERS: But couldn't there be a situation where there might be a recessed piece of ground and that whole recessed area is below the rest of the ground and if they built it there, then they wouldn't have to fill it in to bring it up with...even with the rest of the ground, just build it below everything else because that is what is there at the time?

SENATOR LAMB: But it would still be an above-ground structure. I think there is no effort here to get around the fact that this is going to be an above-ground facility.

SENATOR CHAMBERS: Wouldn't you agree that above ground means