

bill. The committee amendments apply an exemption to the siting approval requirements if the facility is publicly owned and is to serve an unincorporated area of a county in which it is located. If the facility will not serve an unincorporated area, the exemption applies if it is publicly owned and to be located within the county of a municipality to be served by the facility. In other words, a town in Johnson County can't go condemn land in Lancaster County and build a facility, unless Lincoln is also joining together with Tecumseh to build that facility, then we can do that. So there is a connection. We make sure there is a connection. Before, we had it written that they could condemn land across county lines, the reason being that if there is a spot right across the county line, they should...

SPEAKER BAACK: One minute.

SENATOR MORRISSEY: ...they should use it if it's best environmentally, but we have changed that so they can no longer do that. Section 36 authorizes the department to review permits for facilities and require investigation and action for threats of contamination or contamination. Section 37 requires the department to keep the plan up to date and up to speed and the committee amendments require by the Environmental Control Council to adopt the limited exemptions that are provided in Subtitle D from some of the Subtitle D criteria for small muni landfills. The exemptions do not exempt such landfills from obtaining a permit, nor do they exempt them from criteria such as location standards, operating requirements or financial assurance for closure and postclosure care. The intent is still to protect the air, soil, groundwater and surface water. Exemptions are not intended to allow landfills to be located in unsound hydrologic or geologic areas.

SPEAKER BAACK: Time. Thank you, Senator Morrissey. Is there any other discussion on this amendment by Senator Morrissey? Seeing none, Senator Morrissey, do you wish to close?

SENATOR MORRISSEY: Thank you, Mr. Speaker. I've covered the highlights of the bill. The rest of it is more of Sections 42...or 43, excuse me, through 44, or other amendments, 43, we made sure we didn't get into oil and gas regulations and livestock wastes or recycled grain, as Senator Elmer calls it, that is addressed in other sections of the DEC's or environmental protection laws. And 44 through 47, the committee