

## **Do We Really Want to Become the Nation's Dumping Ground?**

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Imagine you're a well-funded company from out of state and you purchase what you think will be a profitable multimillion-dollar business in Utah – a 2,000-acre piece of ground permitted for a landfill. You develop a business plan, invest lots of money, and start construction. But as it turns out, the facility you want to operate can't get permitted under existing state law; and the facility that you *can* operate isn't particularly profitable. What to do? Well, in today's anything-goes political climate you might pull out your checkbook, hire a bunch of lobbyists and try to get the law changed. And that's exactly what Promontory Point Resources (PPR), an out of state company with an office in Ogden, attempted to do.

About 2015, PPR bought property with an old landfill permit but no landfill. Several previous owners failed to get a landfill going on the property. Maybe that and the fact that the property is surrounded on three sides by Great Salt Lake should have given PPR a clue that this wasn't a great idea. Unfortunately for the company, the unused permit for the property is a Class I permit, which means PPR can only dispose of household waste from *local* communities. That isn't what PPR wants. What it really wants is to run a commercial Class V landfill that takes out-of-state waste, including California hazardous waste and coal ash from throughout the United States. Because that's where the money is.

In spite of all this, PPR kept pushing forward with its plans. In 2016 it got the legislature to pass a resolution permitting a Class V landfill to operate on Promontory Point before the company even applied for a Class V permit and it went ahead and built a landfill before it had any contracts for waste and in spite of a number of permit requirements it should have done first. As of today, the landfill has sat empty and profitless for over two years.

Maybe since PPR isn't from around here, it thought it could ignore the significance of Great Salt Lake. But because Class V landfills can bring *other states'* garbage into Utah, state law requires companies to meet a few extra requirements – like showing an actual need for the landfill, that the landfill can be profitable so the public won't be stuck cleaning up a mess and, in this case, that the landfill won't harm Great Salt Lake. In March 2017, PPR applied for a Class V permit with the

Division of Waste Management and Radiation Control in the Dept. of Environmental Quality. PPR submitted the Needs Assessment– twice. And PPR failed to show a Class V landfill on Promontory is needed - twice. One reason is because Utah already has over 1,600 years’ worth of Class V storage already in place. Which is pretty astonishing if you think about it.

So, since it can’t meet the requirements of the law – requirements that protect Utah from becoming the nation’s dumping ground – PPR tries to change it. During the 2019 legislative session, PPR lobbyists managed to introduce legislation allowing all 24 Class I Utah landfills to convert to Class V landfills without satisfying the Needs Assessment, without any additional environmental requirements, and without approval by the Department of Environmental Quality as is currently required by state law. Under the proposed change, a conversion approval would only require the Legislature and the governor to sign off on it. Given what the Legislature and the governor did to allow depleted uranium in Tooele, that’s not much of a safeguard. And, because the legislature has already given PPR its Class V approval, this change in the law would effectively remove any barriers that stand in the company’s way. The bottom line here is that PPR tried to skirt the existing laws it couldn’t satisfy by simply getting rid of them.

Although the legislation failed to pass, PPR isn’t giving up. While reasonable people can disagree reasonably, there is nothing reasonable about dumping toxic stew on property literally on the shores of Great Salt Lake just so one company can try to turn a profit after making such poor development choices. And there’s nothing reasonable about essentially throwing open the doors to allowing unlimited out-of-state waste to be dumped in an unneeded, unwanted landfill. PPR’s landfill – whether it’s used for out-of-state or even just local waste – will threaten the health of millions of birds, the \$1.3 billion per year that the Lake contributes to Utah’s economy, and the communities that sit downwind of PPR’s facility. It’s time to stand up and put a stop to this type of politics. It’s time to say “NO” to this landfill.

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