

Introduced by: Nash

Date: 02/17/87  
Hearing: 04/07/87  
Vote: 13 Yes, 1 No  
Action: Enacted

KENAI PENINSULA BOROUGH  
ORDINANCE 86-101  
WASTE DISPOSAL COMMISSION (SUBSTITUTE)

AN ORDINANCE RELATING TO THE SITING OF HAZARDOUS WASTE MANAGEMENT FACILITIES.

WHEREAS, the management of hazardous wastes within the Kenai Peninsula Borough could impact the quality of life presently enjoyed by the Borough; and

WHEREAS, the State of Alaska is promulgating regulations (18 AAC 63) dealing with the siting of such facilities within the State; and

WHEREAS, these new State regulations require that a proposed facility permit applicant obtain a pre-application agreement from the Borough that addresses the concerns of the Borough residents; and

WHEREAS, the Waste Disposal Commission was established to review all waste disposal plans and proposed sites within the Borough;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Waste Disposal Commission shall adopt, after public hearing, specific hazardous waste management facility siting criteria that are at least as stringent as those established by 18 AAC 63.

Section 2. That an applicant proposing to install a hazardous waste management facility within the Kenai Peninsula Borough must first submit a Hazardous Waste Management Plan (HWMP) to the Waste Disposal commission that describes:

- A. the general facility, including surface and subsurface site characteristics, detailed area and facility maps and adjacent land ownership;
- B. the types and quantities of wastes that will be handled, including material safety data sheets;
- C. the waste management activities, including specific treatment, storage and disposal plans and employee protection procedures;

- D. all discharges to the environment that are expected to occur from the facility and any Federal and State permits that will be required to regulate those releases;
- E. a contingency plan to protect the public health and environment in the event of fire, explosions, or other disruption of normal facility operation;
- F. a facility closure plan;
- G. the applicant's financial responsibility for approval and recommendation by the Borough Risk Manager.

Section 3. That upon receipt of the HWMP from an applicant, the Waste Disposal Commission shall review the project, and after public hearing, make a determination of consistency with the siting criteria established under Section 1, above.

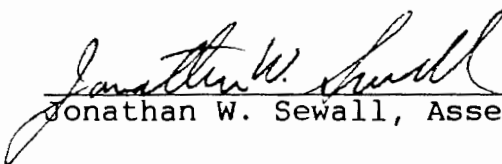
Section 4. That after the Waste Disposal Commission determines a hazardous waste management facility proposal is consistent with its siting criteria, the Borough Administration shall meet with the applicant in consultation with the Waste Disposal Commission to formulate a pre-application agreement consistent with 18 AAC 63.

Section 5. That upon completion of the draft pre-application agreement, the Waste Disposal Commission shall hold a public hearing and recommend changes to the Administration if necessary.

Section 6. That the Administration shall then submit the draft agreement in the form of a Resolution along with the recommendations from the Waste Disposal Commission and a record of the public hearings to the Kenai Peninsula Borough Assembly for final approval.

Section 7. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 7th DAY OF April, 1987.

  
Jonathan W. Sewall, Assembly President

ATTEST:

  
Borough Clerk