

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government.

SB20-058 be amended as follows:

1 Amend printed bill, page 2, strike lines 24 through 27.

2 Page 3, strike line 1 and substitute:

3           (c) (I) TO PROCESS, RECLAIM, OR RECYCLE RECYCLABLE  
4 MATERIALS THAT CONSIST OF ASPHALT SHINGLES, A PILOT PROGRAM IS  
5 AUTHORIZED IN FREMONT AND PUEBLO COUNTIES TO ESTABLISH  
6 RECYCLING FACILITIES WITHIN THE BOUNDARIES OF THOSE COUNTIES TO  
7 ACCEPT SHIPMENTS OF, STORE, AND FIND END MARKETS FOR THE USE OF  
8 ASPHALT SHINGLES. A FACILITY MUST PROVIDE FINANCIAL ASSURANCE TO  
9 THE COUNTY IN WHICH THE FACILITY IS LOCATED IN AN AMOUNT AND TYPE  
10 DETERMINED BY THE COUNTY AND FOR THE PURPOSE OF COVERING THE  
11 COSTS OF FINAL CLOSURE OF, POSTCLOSURE CARE AT, AND THE  
12 UNDERTAKING OF ANY CORRECTIVE ACTION REQUIRED FOR THE FACILITY.  
13 THE FACILITY MUST COMPLY WITH THE SAME LAWS AND REQUIREMENTS  
14 IMPOSED ON OTHER RECYCLING FACILITIES WITHIN THE COUNTY.

15           (II) TO CONTINUE OPERATING AS AN ASPHALT SHINGLE RECYCLING  
16 FACILITY FOR MORE THAN ONE YEAR AFTER BEGINNING RECYCLING  
17 OPERATIONS, THE FACILITY MUST DEMONSTRATE TO THE COUNTY'S  
18 SATISFACTION THAT A BONA FIDE END MARKET EXISTS FOR MATERIALS  
19 RECYCLED FROM ASPHALT SHINGLES. PROOF OF AN END MARKET  
20 INCLUDES, AMONG OTHER POSSIBLE TYPES OF PROOF:

21           (A) A SIGNED CONTRACT BETWEEN THE FACILITY AND AN EXISTING  
22 ENTITY DEMONSTRATING A COMMITMENT TO BUY ASPHALT SHINGLE  
23 MATERIAL, INCLUDING OIL, SAND GRANULES, AND FIBERGLASS; AND

24           (B) RECEIPTS OF RECYCLED ASPHALT SHINGLE MATERIAL,  
25 INCLUDING OIL, SAND GRANULES, AND FIBERGLASS, ACTUALLY SOLD TO  
26 ONE OR MORE THIRD PARTIES.

27           (III) THE TRANSPORTATION OF ASPHALT SHINGLES TO THE  
28 RECYCLING FACILITY MAY BE BY RAIL OR TRUCK. THE STORAGE OF  
29 ASPHALT SHINGLES MAY BE AT THE RECYCLING FACILITY IN RAIL CARS OR  
30 ON A PREMISES APPROVED BY THE COUNTY.

31           (IV) IF A FACILITY DEMONSTRATES WITHIN ONE YEAR AFTER  
32 BEGINNING RECYCLING OPERATIONS THAT A BONA FIDE END MARKET  
33 EXISTS, THE FACILITY MAY CONTINUE ITS OPERATION AND ASPHALT  
34 SHINGLE RECYCLING MAY BE OPERATED STATEWIDE IN THE SAME MANNER  
35 AS SET FORTH IN SUBSECTION (5)(c)(I) OF THIS SECTION. IF THE FACILITY  
36 DOES NOT DEMONSTRATE WITHIN ONE YEAR AFTER BEGINNING RECYCLING  
37 OPERATIONS THAT A BONA FIDE END MARKET EXISTS, THE FACILITY IS NO  
38 LONGER AUTHORIZED TO OPERATE AS AN ASPHALT SHINGLE RECYCLING  
39 FACILITY."

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