Sen. David Koehler

Filed: 4/30/2013

09800HB3319sam001   LRB098 11035 JDS 45146 a

1   AMENDMENT TO HOUSE BILL 3319

2   AMENDMENT NO. _____. Amend House Bill 3319 as follows:

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4   on page 9, in line 13, immediately after "farm", by inserting

5   "at a site having not more than 10 occupied non-farm residences

6   within 1/2 mile of its boundaries"; and

7   by replacing line 5 on page 11 through line 6 on page 12 with

8   the following:

9   "(D) the owner or operator, by ~~January 1, 1990 (or~~

10   ~~the January 1 following commencement of operation,~~

11   ~~whichever is later) and~~ January 1 of each year

12   ~~thereafter~~, (i) registers the site with the Agency,

13   (ii) reports to the Agency on the volume of composting

14   material received and used at the site, (iii) certifies

15   to the Agency that the site complies with the

16   requirements set forth in subparagraphs (A), (A-1),

1   (A-2), (B), and (C) of this paragraph (q)(3), and (iv)

2   certifies to the Agency that all composting material:

3   (I) was placed more than 200 feet from the

4   nearest potable water supply well;

5   (II), was placed outside the boundary of the

6   10-year floodplain or on a part of the site that is

7   floodproofed;

8   (III), was placed either (aa) at least 1/4 mile

9   from the nearest residence (other than a residence

10   located on the same property as the facility) or

11   (bb) a lesser distance from the nearest residence

12   (other than a residence located on the same

13   property as the facility) provided that the

14   municipality or county in which the facility is

15   located has by ordinance approved a lesser

16   distance than 1/4 mile; and there are not more than

17   10 occupied non-farm residences within 1/2 mile of

18   the boundaries of the site on the date of

19   application, and

20   (IV) was placed more than 5 feet above the

21   water table.

22   Any ordinance approving a residential setback of

23   less than 1/4 mile that is used to meet the

24   requirements of this subparagraph (D) must

25   specifically reference this subparagraph.".