§ 27-1102. Hazardous waste disposal capacity assurances and statewide hazardous waste facility siting plan.

1. The department shall immediately begin preparation of a statewide hazardous waste facility siting plan to establish a framework to guide state agencies and authorities and the facility siting board established pursuant to section 27-1105 of this title in the discharge of their responsibilities and to assure the availability of industrial hazardous waste treatment, storage and disposal facilities which:

a. have adequate capacity for the destruction, treatment or secure disposition of all hazardous wastes that are reasonably expected to be generated within the state in the next twenty years;

b. are within the state or outside the state in accordance with an interstate agreement or regional agreement or authority;

c. comply with all federal and state requirements governing such facilities; and

d. comply with the preferred hazardous waste management practices hierarchy established pursuant to section 27-0105 of this article.

2. The plan shall include but not be limited to:

a. an inventory and appraisal including the identification, location and life expectancy of all industrial hazardous waste treatment, storage and disposal facilities located within the state.

b. a compilation and analysis of existing inventories, reports and studies of the sources, composition and quantity of industrial hazardous waste generated within the state and of existing programs for waste reduction, recycling and reuse.

c. long-range projections of at least twenty years of the amounts and composition of hazardous waste which will be generated within the state and, to the extent feasible, in neighboring states.

d. a schedule for phasing out land disposal, other than treated residuals in compliance with the policy established in section 27-0105 of this article.

e. the identification, if appropriate, of areas of the state which have compatible hazardous waste generation streams and similar interests in providing regional hazardous waste management and disposal capacity to primarily service such areas.

f. a determination of the number, size, type and location by area of the state of new or expanded industrial hazardous waste treatment, storage and disposal facilities which will be needed for the proper long-term management of hazardous waste consistent with the assurances required pursuant to subdivision one of this section and an equitable geographic distribution of facilities.

g. an analysis of transportation routes and transportation risk and costs from industrial hazardous waste generators to existing or potentially suitable sites for industrial hazardous waste treatment, storage and disposal facilities.

h. recommendations on regional and statewide coordination of methods and procedures to encourage cooperative treatment, storage, disposal and transportation of industrial hazardous waste and other such hazardous waste management methods.

i. recommendations on procedures for periodically updating the statewide hazardous waste facility siting plan and for future coordination of hazardous waste management and planning on a regional basis.

3. The department shall prepare and adopt a draft statewide hazardous waste facility siting plan within six months after the effective date of this section.

4. Upon completion of the draft plan, the department shall make it

available to all interested persons. The department shall publicize such plan and solicit comments. The department shall hold at least one public hearing within each region of the state to review and solicit comments on the draft plan.

5. Within twelve months after the effective date of this section, the department shall have completed public hearings on the draft plan and shall have considered comments and shall make such revisions to the draft plan as it deems necessary or appropriate. The department shall make the revised plan available to all interested persons and shall solicit comments and hold public hearings on the revised plan.

6. Within fifteen months after the effective date of this section, the department shall make any final revisions as it deems necessary or appropriate and adopt the plan. The adopted plan shall be transmitted to the governor and the legislature and made available to all interested parties.

7. Upon adoption of the plan the department shall immediately establish a schedule for siting any new or expanded industrial hazardous waste treatment, storage or disposal facilities identified as necessary in such plan.