§ 27-1103. Criteria for siting industrial hazardous waste treatment, storage and disposal facilities.

1. The commissioner shall, after investigation and opportunity for public comment, within one year from the effective date of this section, publish criteria for siting industrial hazardous waste treatment, storage and disposal facilities. Such siting criteria shall be designed to insure the maximum safety of the public from hazards associated with treatment, storage, and disposal of hazardous wastes. The commissioner shall also within one year from such effective date adopt criteria prescribing the form and content of applications for a certificate of environmental safety and public necessity to construct an industrial hazardous waste treatment, storage and disposal facility.

2. The criteria issued pursuant to subdivision one of this section for the siting of industrial hazardous waste treatment, storage and disposal facilities shall take into account, among other factors:

a. The consistency of the application with the plan adopted pursuant to section 27-1102 of this title,

b. The density of population in areas neighboring such facility,

c. The density of population in areas adjacent to delivery routes to such facility,

d. The risk of accident during the transportation of hazardous wastes,

e. The risk of contamination of ground and surface waters by leaching and runoff from such facility,

f. The risk of fires or explosions from improper storage and disposal methods,

g. The impact on the municipality where the facility is to be cited in terms of health, safety, cost and consistency with local planning, zoning or land use laws and ordinances,

h. The nature of the probable environmental impact, including specification of the predictable adverse effects on the natural environment and ecology, public health and safety, scenic, historic, cultural and recreational value, water and air quality, wildlife and an evaluation of measures to mitigate adverse effects, and

i. The future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable.

3. The criteria issued by the commissioner pursuant to subdivision one of this section prescribing the form of an application for a certificate of environmental safety and public necessity to construct an industrial hazardous waste treatment, storage and disposal facility shall require the applicant to supply detailed information regarding:

a. The location of the proposed facility,

b. A description of the design and capacity of the facility,

c. The expected sources of hazardous wastes for the facility, the proposed methods of transporting such wastes to and from the facility, and the routes which deliveries will traverse,

d. The need for the facility,

e. The environmental impacts of the proposed facility,

f. A description of reasonable alternative locations for the proposed facility, and

g. Such other information as the commissioner shall prescribe as to whether the proposed facility is necessary and compatible with the surrounding environment and with the health, safety and welfare of neighboring populations.