§ 54-0503. Eligibility to receive state assistance payments for municipal landfill closure projects.

Any municipality which is the owner or operator of a landfill may apply for state assistance payments toward the cost of a municipal landfill closure project upon showing that the following criteria, in addition to applicable rules and regulations, have been met:

1. The landfill site has not been classified pursuant to subparagraph one or two of paragraph b of subdivision four of section 27-1305 of this chapter. Sites which have been removed from the registry may apply for state assistance payments.

2. The municipality has an obligation to close the landfill by a specific date pursuant to an administrative order, court order or permit which requires the municipality to cease acceptance of waste at the site within eighteen months of the date the application for state assistance payment is approved.

3. A closure investigation report which complies with the requirements of applicable regulations of the department, including a demonstration that 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, has been considered, shall have been submitted.

4. The municipality has agreed, upon project approval, to waive any right to state assistance for closure of the site under section 27-1313 of this chapter.