

Funding Mechanisms in Other States

New Mexico Environment Department

Solid Waste Bureau

September 2013

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Arizona

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	<ul style="list-style-type: none"> ▪ \$122/hr plan review fee ▪ \$20,000 initial solid waste facility plan review fee ▪ Other initial fees range from \$200 to \$200,000 ▪ Annual fees range from \$75 to \$1000 ▪ See Fee schedule 	A.R.S. § 49-762.03 R18-13-701	\$1.1 million (FY2013 projection)	Solid Waste Fee Fund (SWFF). 100% of the revenue in the SWFF supports the Solid Waste Program (48% of budget)
Disposal fees	<ul style="list-style-type: none"> ▪ \$0.25/6 yd³ uncompacted or ▪ \$0.25/3 yd³ compacted or ▪ \$0.25/ton 	ARS 49-836 ARS 49-837	A portion (\$1.2 million) goes toward the solid waste program	Recycling fund; a portion is designated for the solid waste program budget also. The SWFF and the Recycling Fund are the only sources of funding for ADEQ's solid waste program.
Retail fees	Waste tire fee	A.R.S. § 44-1302	Not specified	Not collected by ADEQ

Details

Budget: The state solid waste agency is trying to be self-sufficient. Changes to the fee schedule are in progress; see [Arizona Administrative Register. Notice of Final Rulemaking, Title 18, Chapter 8. Department of Environmental Quality - FY 2013 Solid Waste Management Fees](#) for more information.

From the ADEQ website:

Both the Hazardous Waste Program and the Solid Waste Program generate insufficient revenue to support the costs of the programs. In the past, these programs were subsidized by other funding sources; however, those sources are no longer available to supplement the significant gap between program revenue and program costs. [\[Source\]](#)

To address this funding deficit, [House Bill 2705](#) was passed and a new fee structure became effective in July 2012. The changes included:

- New waste tire collection site registration fee (new)
- Used tire storage site registration fee (new)
- Septage hauler vehicles license fee (new)
- Solid waste general permit fees (new)
- Solid waste landfill registration fee (revised)
- Biohazardous medical waste transporter license fee (new)
- Solid waste plan review fee (revised)
- Self-certification fees (revised)
- Special waste management/handling fee (revised) [[Source](#)]

Closure of unlined landfills: Unlined landfills were closed in the late 1990s.

For More Information

- [Presentation on new FY2013 fees](#)
- [Arizona Administrative Register. Notice of Final Rulemaking, Title 18, Chapter 8. Department of Environmental Quality - FY 2013 Solid Waste Management Fees](#)

Contact Information

Arizona Department of Environmental Quality

- Veronica Garcia, garcia.veronica@azdeq.gov, (602)771-4422

Arkansas

Summary

Type of fees	Rates	Statute / Reg	Annual revenue	Goes toward
Permit fees	Rates range from \$450 to \$10,000. See fee schedule .	A.C.A. §8-1-103 Reg 9.601 et seq.	\$26.2 million total fees collected	Not specified
Disposal fees	For municipal landfills and out-of-state transporters: \$0.25/yd ³ uncompacted or \$0.45/yd ³ compacted or \$1.50/ton	A.C.A. §8-6-601 et seq. Reg 11.205		Solid Waste Management and Recycling Fund
	Private industry landfills: \$0.10/yd ³ uncompacted or \$0.20/yd ³ compacted or \$0.50/ton	A.C.A. § 8-6-601 et seq. Reg 11.205		Solid Waste Management and Recycling Fund
	For municipal landfills: \$0.15/yd ³ uncompacted or \$0.30/yd ³ compacted or \$1.00/ton	A.C.A. § 8-6-1001 et seq Reg 11.205		Landfill Post-Closure Trust Fund
Retail fees	\$2/tire for auto tires \$5/tire for truck tires \$1/tire for imported	A.C.A. §8-9-404 et seq. Reg. 14.401 et seq.	Not specified	Waste Tire Program
Licensing fees	Not specified	A.C.A. §8-6-909	Not specified	Not specified

Details

Solid Waste Division budget: The Solid Waste Division operates on \$26.8 million per year. This amount is funded 98% from fees/fund balance from fees; 1% from federal grants; and ½% from general revenue.

Landfill post-closure trust fund:

The Post-Closure Trust Fund is a separate form of financial assurance that provides a funding mechanism for performing post-closure corrective action at a closed solid waste landfill that is causing groundwater or some other type of contamination. ... [\[Source\]](#)

Permitted facilities and out-of-state haulers pay a portion of disposal fees into the fund. Fee collection stops when the fund reaches \$25 million and resumes when it falls below \$15 million. [\[Source\]](#)

Permit fee schedule: [\[Source\]](#)

CLASS	I	III Comm.	III Non-Comm.	III TIRE	IV	Compost CO CY CS	WRF & TS
Pre-Site	\$2,000	\$2,000	\$2,000	\$2,000	\$1,000	NA	NA
Application	10,000	10,000	5,000	5,000	1,000	900	900
Annual	6,000	5,000	3,000	3,000	500	450	450
Modification	*4,000 **3,000	2,000	2,000	2,000	1,000	450	450
Permit Transfer	1,000	1,000	1,000	1,000	1,000	500	500
Post-Closure	500	500	500	500	500	0	0

Contact Information

Arkansas Department of Environmental Quality, Solid Waste Management Division

- Susan Speake, (501) 682-0594

Colorado

Summary

Type of fees	Rates	Statute / Reg	Annual revenue	Goes toward
Permit fees	Document review and activity fees: \$125/hr, up to a ceiling ranging from \$500 to \$35,000. See fee schedule .	CRS 30-20-100.5 et seq. 6 CCR 1007-2 Part 1 1.7.2	\$357,000 [2010 Source]	State solid waste agency operations
Disposal fees Disposal fees	Solid Waste User Fee: \$0.21/yd ³ or \$0.70/ ton Of this, \$0.13/yd ³ or \$0.43/ ton (about 62%) goes toward state solid waste agency operations	6 CCR 1007-2 Part 1 1.7.4	Total solid waste user fee: \$6.1 million [2012 Source] Fraction that goes to the state solid waste program: \$1.6 million [2010 Source]	Solid waste programs, hazardous substance response fund, and Department of Law
	RREO fee: \$0.07/yd ³ (in addition to the other disposal fees)	RREO fee: CRS 25-16-104.5(3.9)	Not specified	Recycling Resources Economic Opportunity Fund
Operating fees	<ul style="list-style-type: none"> ▪Facilities operating under a certificate of designation: \$1000/year. Source ▪Recycling facilities: \$150/year 	CRS 30-20-100.5 et seq. 6 CCR 1007-2 Part 1 1.7.3	\$100,000 [2010 Source]	State solid waste agency operations
Retail fees	\$1.50/tire	CRS 25-17-202	Not specified	Specific tire program
Other fees	<ul style="list-style-type: none"> ▪Waste Grease Transporter: \$570 per vehicle per year, and \$25 per set of five (5) temporary decals ▪Waste Grease Facility: \$1,140 per year ▪Personal Users of Waste Grease Other than For Use as Biofuel: \$96 per year. 	6 CCR 1007-2 Part 1 1.7.5	Not specified	Specific grease program

Details

Closure of old landfills: All unlined, non-Subtitle D compliant landfills were closed in the 1990s.

Budget: From the 2010 Annual Report:

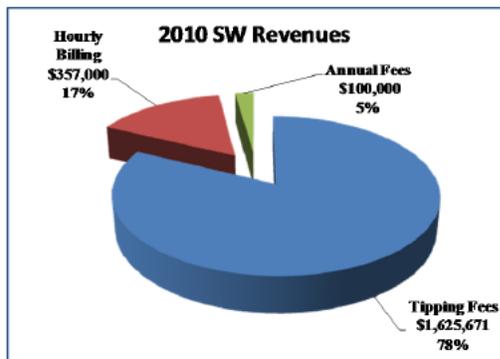


Figure 1: 2010 Solid Waste Revenues

The [solid waste] program does not receive any monies from Colorado’s General Fund, and is 100 percent fee supported. The Act and the Regulations (6-CCR 1007-2) provide three means of collecting fees to support the program. These include the Solid Waste User Fee (SWUF) or “tipping fee,” the Hourly Activity Fee and the Annual Facility Fee. ... The SWUF supports approximately 78 percent of the program’s funding (Figure 1) and the program is expected to have adequate revenue for at least five years.

[Source]

Fees:

Permit fee schedule [Source]

DOCUMENT REVIEW AND ACTIVITY FEES SCHEDULE	
Task	Ceiling Fee
Notification/Registration/Bonds	\$1,000
Certificate of Designation Application	\$35,000
Design and Operation Plan Modification	\$25,000
Construction CQA Report	\$5,000
Ones Own Waste Design & Operation Plan	\$35,000
Audit Reports	\$5,000
Financial Assurance – Annual	\$3000
Financial Assurance – 5 yr	\$5000
Monitoring Reports (e.g., groundwater landfill gas, remediation's)	\$3,000
Corrective Action, Remediation & Pilot Project Plans (e.g., gas, groundwater, geotechnical, storm-water, site visit, meetings etc.)	\$10,000/calendar year
Closure Plans and modifications	\$5,000
Post-Closure Plans and modifications	\$5,000
Transfer Station Operating Plan	\$10,000
Asbestos Contaminated Soil Facilities	\$15,000/area/calendar year
Compost Facility Design & Operation Plan	\$15,000
General Correspondence	\$500
Special Requests	\$10,000

Disposal fee schedule: [Source]

Solid Waste User Fee	Cubic Yard Rate	Ton Rate
Solid Waste Program § 25-16-104.5(1.7)(a)(I)	\$0.13	\$0.43
Hazardous Substance Response Fund § 25-16-104.5(1.7)(a)(II)	\$0.05	\$0.17
Department of Law § 25-16-104.5(1.7)(a)(III)	\$0.03	\$0.10
Total SWUF Note: Does not include \$0.07/yard ³ RREO fee as defined in § 25-16-104.5(3.9)	\$0.21	\$0.70

For More Information

- [Colorado Solid Waste and Materials Management Program 2010 Annual Report to the Colorado General Assembly](#)

Contact Information

Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Solid Waste and Materials Management Program

- Caren Johannes, 303-692-3320

Kansas

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	<ul style="list-style-type: none"> ▪Application fees up to \$5000 ▪Annual renewal fee \$2000 ▪Annual fees \$1000 to \$4000 for facilities generating industrial waste 	K.S.A. 65-3407e	\$116,775 [2012 Source]	Solid waste program
Disposal fees	\$1/ton	K.S.A. 65-3415b	\$4.7 million [2012 Source]	Solid waste program
Retail fees	\$0.25/tire	KSA 65-3424d to 65-3424g	\$376,021 awarded in waste tire grants [2012 Source]	Waste Tire Management Fund

Details

Budget: The state solid waste program is funded entirely through permit (3%) and disposal fees (97%). [2012 [Source](#)]

Fees: The disposal fee was set at \$1/ton in 1995 and the amount has not been modified since. [[Source](#)]

From the 2010 Solid Waste Management Plan:

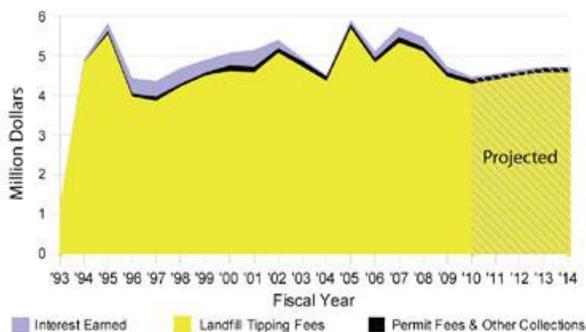


Figure 3-1 shows fund revenue from its inception in 1993 until the present along with projections through FY 2014. Revenue dropped dramatically in FY 2008 and 2009 due to the economic recession and some minor increases in recycling. ... Overall, it is estimated that the entire state waste program will have between \$4.5 to \$5.0 million per year to administer all program activities, unless a new revenue source is added. [2010 [Source](#)]

Closure of old landfills: Kansas has a City Dump Cleanup Program to remediate pre-RCRA dump sites. The program consists of grants, typically \$250,000 to \$300,000 per year, and is funded by a portion of

the tipping fee. As of 2012, a total of \$4 million had been spent to remediate 82 of an estimated 850 closed dump sites in the state. [\[Source\]](#)

Closure and remediation of old landfills is included by statute in the list of activities to be funded through the solid waste program, as described in K.S.A. 65-3415a (c) [\[Source\]](#)

For More Information

- [Kansas Solid Waste Program: A Review of Program Revenue and Expenditures in FY2012](#)
- [2010 Kansas Solid Waste Management Plan](#)
- [City Dump Cleanup Program](#)

Contact Information

Kansas Department of Health and Environment, Bureau of Waste Management

- Christine Mennicke, Environmental Scientist, Policy, Regs, Database Management, 785-296-0724, cmennicke@kdheks.gov
- Tim Wilson, Project Manager, Dump Cleanup/Closed Landfill Inspection Program, 785-296-1757, twwilson@kdheks.gov

Nebraska

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	<ul style="list-style-type: none"> ▪Permit application fees, \$500 to \$45,000 ▪Modification fees, \$250 to \$22,250 ▪Renewal fees, \$100 to \$2250 ▪See fee schedule 	Nebraska Administrative Code, Title 132, Chapter 9	Not specified	Operating costs of the Integrated Waste Management program
Disposal fees	<ul style="list-style-type: none"> ▪\$1.25/6 yd³ uncompacted ▪\$1.25/3 yd³ compacted ▪\$1.25/ton 	Nebraska Revised Statutes 13-2042 Nebraska Administrative Code, Title 132, Chapter 11	Total \$3.4 million from disposal + business + tire fees [Source]	<ul style="list-style-type: none"> ▪50% for operating costs of the Integrated Waste Management program ▪50% to Waste Reduction and Recycling Grants Program [Source]
Operations fee	\$500 to \$45,000 See fee schedule	Nebraska Administrative Code, Title 132, Chapter 10	Not specified	Operating costs of the Integrated Waste Management program
Retail fees	\$1/tire	Title 199 Title 133	\$1.93 million [2012 Source]	Waste Reduction and Recycling Grants Program
Business fee	\$25 each for all retail businesses with sales of ≥\$50,000	Title 199 Title 133	Total \$3.4 million from disposal + business + tire fees [Source]	Waste Reduction and Recycling Grants Program
Litter fee	\$175 per each \$1 million dollars of gross sales of products deemed to directly contribute to the litter stream. List of products is in statute.	§81-1560 Title 199 Title 133	\$1.5 million [Source]	Waste Reduction and Recycling Grants Program

Details

Budget: The Integrated Waste Program operates on the revenue from fees alone. The budget is funded by a combination of the disposal, business and tire fees, and totals \$3.4 million annually. The solid waste and hazardous waste programs are part of the Waste Management Division.

Permit fee schedule [\[Source\]](#)

	Initial	Major Modification	Renewal	Initial Application for Existing Facility
Municipal Solid Waste Disposal Area	\$15,000	\$ 7,500	\$ 750	\$1,500
Construction Demolition Disposal Area	1,500	500	250	150
Fossil Fuel Combustion Ash Disposal Area	2,500	1,250	300	250
Delisted Waste Disposal Area	45,000	22,250	2,250	4,500
Industrial Waste Disposal Area	3,100	1,500	350	310
Solid Waste Compost Site	3,100	1,500	350	310
Materials Recovery Facility	1,500	500	250	150
Solid Waste Transfer Station	500	250	150	50
Other Solid Waste	750	375	100	75
Land Application Unit for Repeated Disposal or Treatment of Special Waste	3,100	1,500	350	310

Operating fee schedule [\[Source\]](#)

004.01 The annual operating fee for a facility under 001 of Chapter 9 of these regulations shall be:

Municipal Solid Waste Disposal Area	\$ 7,500
Construction Demolition Disposal Area	750
Fossil Fuel Combustion Ash Disposal Area	1,000
Delisted Waste Disposal Area	45,000
Industrial Waste Disposal Area	2,100
Solid Waste Compost Site	2,100
Materials Recovery Facility	1,500
Solid Waste Transfer Station	500
Other Solid Waste Processing Facility	500
Land Application Unit for Repeated Disposal or Treatment of Special Waste	2,500

Closure of old landfills: All non-Subtitle D compliant landfills were closed prior to 1992. At the time, environmental trust grant funding was available.

Contact Information

Nebraska Department of Environmental Quality, Waste Management Division, Integrated Waste Program

- Candi Bazata, (402) 471-4210

Nevada

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	Authorized but not collected	NRS 444.560	\$0	NA
Disposal fees	Authorized but not collected	NRS 444.560	\$0	NA
Retail fees	\$1/tire	NRS 444.616	<\$3 million; state agency receives \$700,000 to \$1 million	Split three ways; state agency gets 44.5% [Source]

Details

Fees: Statute gives the state authority to charge permit and disposal fees, but the agency has not done so. The agency planned to request approval to charge permit fees for the largest landfills (>500 ton/day) and possibly for a second tier of large landfills (100-500 ton/day) in August 2013. There were no plans to begin collecting a disposal fee.

Budget: Solid waste is managed in Nevada by three entities: two solid waste authorities representing the two largest counties (Clark and Washoe) and the state agency, which manages solid waste for the other 15 counties. The tire fees are thus split three ways among these agencies. The state agency's entire budget comes from the tire fees (\$700,000 to \$1 million annually).

There is some question whether the full amount generated by the \$1/tire fee is collected and/or paid to the state, according to Chet Sergent of the Planning Division, Bureau of Waste Management, Nevada Division of Environmental Protection.

According to the 2007 Solid Waste Management Plan:

Funding for solid waste management is provided primarily through the \$1 fee (Tire Fee) per tire sold at retail collected by the State Department of Taxation, and distributed as follows:

- NV Division of Environmental Protection: 44.5%
- Southern Nevada Health District: 30%
- Washoe County District Health Dept.: 25%
- NV Department of Taxation: 0.5% [\[Source\]](#)

The annual revenue from the tire fee has varied over the years, as shown in the following graphs from the 2007 Solid Waste Management Plan.

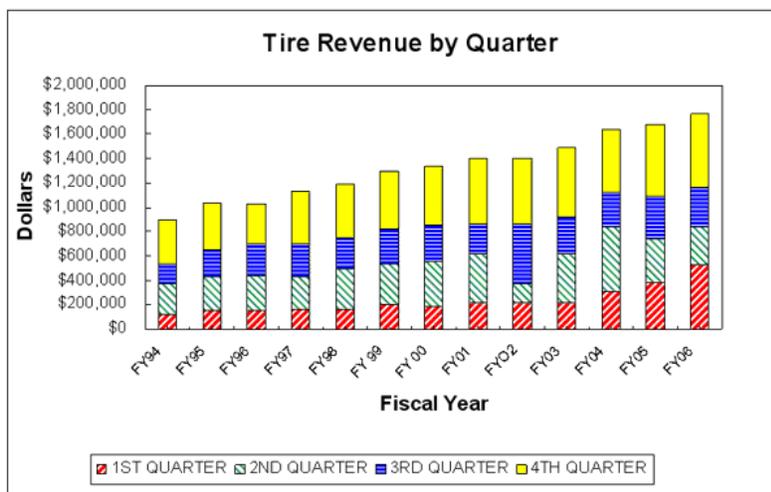


Figure 7. Revenue collected from tire fee for fiscal years 1994 to 2006.

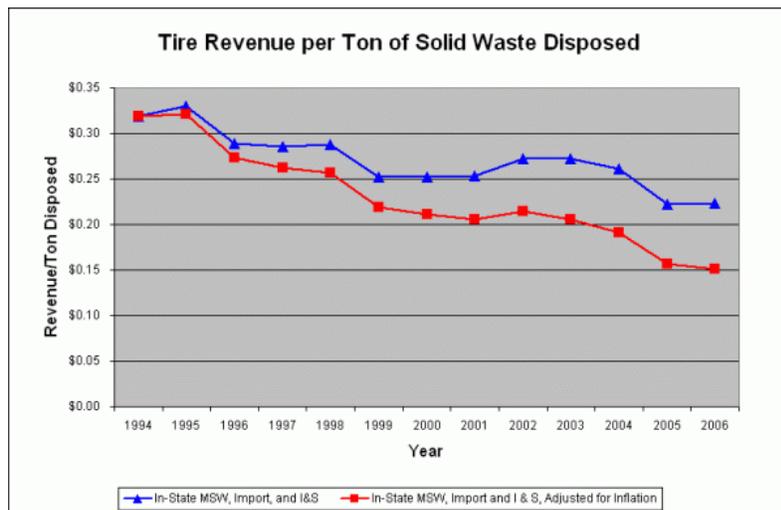


Figure 8. Trend of revenue collected for each ton of solid waste disposed. The red line is deflated pursuant to the average inflation rate of 2.7 for years 1994-2006 (U.S. Department of Labor, Bureau of Labor Statistics, not seasonally adjusted, West urban, all items)

Figure 7 shows tire fee revenue by fiscal year from 1994 to 2006. The upward revenue trend of 5.9% average per year from 1994-2006 is higher than the growth in Nevada's population of 5.0% average per year (Nevada State Demographer data 1994 - 2006). ... In 1994, Tire Fee revenue brought in about 32¢/ton of waste disposed; twelve years later (2006) it amounts to 22¢/ton (Figure 8). The upper curve in Figure 8 shows the change in ratio of Tire Fee revenue per ton of waste disposed. The lower curve is the same ratio adjusted for an average inflation rate of 2.7% annually showing the original 32¢/ton in 1994 declining to 15¢/ton in constant dollars, yielding more than a 50% decrease in revenue per ton of waste disposed in 2006. [Source]

Contact Information

Nevada Division of Environmental Protection, Bureau of Waste Management

- Chet Sergent, Planning, 775-687-9469

Oklahoma

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	None	NA	None	NA
Disposal fees	\$1.25/ton	27A O.S. § 2-10-802(B) 252:515-19-33.	c. \$4.5 million	State solid waste program
Retail fees	▪\$2.50 to \$3.50/tire ▪\$1/tire for motorcycles ▪\$0.05/lb (minimum \$2.50/tire) for certain agricultural tires	27A O.S. 2-11-40, et seq. 47 O.S. 1-125	Not specified	Used Tire Recycling Program

Details

Disposal fee: The disposal fee was initially set at \$1.50/ton and facilities were allowed to keep \$0.25 to \$0.50 per ton (up to a total of \$40,000) to pay for installation of scales. All landfills now have scales, so the fee has decreased to \$1.25/ton.

State agency budget: The state solid waste program is funded entirely through disposal fees and has a budget of about \$4.5 million.

Closure of unlined landfills: The state was not involved in funding for closure of any unlined landfills. Nearly all are now closed, with the exception of 1 or 2 which have not done any lateral expansion. If and when those landfills do need to expand, the new construction will be lined, rather than closing the facility completely.

Contact Information

Oklahoma Department of Environmental Quality, Land Protection Division

- Fenton Road, Environmental Programs Manager, (405)702-5100

Texas

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	<ul style="list-style-type: none">▪ \$150 for permit applications▪ \$2500 for development permit	30 TAC 330.59(h)	\$2000	State agency operations
Disposal fees	<ul style="list-style-type: none">▪ \$0.94/ton or \$0.30/yd³ compacted or \$0.19/yd³ uncompacted▪ Prior to June 2013: \$1.25/ton or \$0.40/yd³ compacted or \$0.25/yd³ uncompacted	Texas Health and Safety Code, Title 5, Section 361.013(a)	Estimated \$25 million total for FY14; \$16 million will go to state solid waste agency	Disposal fee is split, with 2/3 going to the state solid waste agency and 1/3 to local and regional entities for MSW projects. (Prior to June 2013: ½ went to state agency and ½ went to local and regional entities.)

Details

Disposal fees: House Bill 7, signed in June 2013, reduced the tipping fee by 25%, effective immediately. The change was intended to address a more than \$100 million surplus in the fund for local entities, built up over the years since those entities had not been appropriating the full amount allotted to them. The new law also adjusts the split, so that the state agency receives 2/3 (rather than ½) of the tipping fee and the local entities receive 1/3.

Permit fees: Permit fees are such a small portion of the state agency's revenue that they are not always collected.

Other fees: A few other small fees (sludge haulers, medical waste haulers, etc.) are collected but do not contribute significantly to the agency's budget, so that the tipping fees very nearly constitute the total solid waste budget.

Budget: The solid waste program is part of a larger agency that includes hazardous waste, radioactive waste, and other programs. The total budget of the solid waste program is not described separate from the budget for the combined programs.

Landfill closures: All known non-RCRA-compliant landfills were closed by the early to mid-1990s. No state funding sources exist for closing unlined landfills.

Contact Information

Texas Commission on Environmental Quality, Office of Waste

- Mary Eyster, budget analyst, 512-239-2008
- Dwight Russell, 512-239-5282

Utah

Summary

Type of fees	Rates	Statute	Annual revenue	Goes toward
Permit fees	▪Permit and other review, \$90/hr ▪Application and other fees range from \$750 to \$5000 ▪Processor fees for used oil, waste tire and mercury switch removal, \$50 to \$100 ▪See fee schedule	19-6-120	About 25% of solid waste agency budget (c. \$450,000 in FY13)	State agency operations
Disposal fees	▪\$0.13/ton, MSW ▪\$0.50/ton, C&D, yard waste, tires ▪\$2.50/ton, certain other wastes ▪See Nonhazardous solid waste disposal fees	19-6-119	\$1.17 million in FY13 (about 65% of solid waste agency budget)	State agency operations
Annual fees	\$800 to \$66,000, based on facility size	19-6-119	\$183,000 in FY13 (about 10% of state budget)	State agency operations
Retail fees	\$1 / tire	19-6-805	c. \$2.86 million in FY12	Waste Tire Recycling Fund

Details

Utah's solid waste program budget is about \$1.8 million annually.

Revenues from the waste tire recycling fee are used for:

- partial reimbursement of the costs of processing, recycling, or disposing of waste tires
- partial reimbursement of the transportation costs from the cleanup of waste tire piles
- payment of administrative costs of local health departments, tire dealers, tax commission, and DEQ. [\[Source\]](#)

Contact Information

Utah Department of Environmental Quality, Division of Solid and Hazardous Waste, Solid Waste Section

- Ralph Bohn, Manager, Solid Waste Landfills & Used Tires, 801-536-0212, rbohn@utah.gov

Wyoming

In 2005, Wyoming Department of Environmental Quality (DEQ) identified a need to remediate at least 58 of the 130 small unlined landfills in the state. The department estimated that the 30-year program would cost \$174 million. The estimate was revised to \$225 million in 2010.

In 2011, the legislature allowed \$15 million to be transferred from the state reserve fund into an account, known as the landfill remediation reserve account, earmarked for the effort.

In 2012, another \$15 million was added to the account. In 2013, the legislature passed laws allocating \$40 million from the Permanent Mineral Trust Fund and \$5 million for state loans to help small communities close the old landfills.

An interim study includes recommendations for other sources of funding. One source identified as a potential long-term revenue stream is the leaking underground storage tank (LUST) program. The program gets revenue from \$0.01 of the state sales tax on gasoline and diesel, totaling about \$10 million annually.

For More Information

- [Examination of Wyoming's Landfill Problems: a White Paper](#). Wyoming Department of Environmental Quality, January 5, 2005.
- [Wyoming officials move to speed up closing of leaking landfills](#). 2011.
- [“Sleeper” House bills address groundwater pollution from leaky landfills](#). 2013.
- [Wyoming lawmakers give contaminated landfills double scrutiny](#). 2013.

Contact Information

Wyoming Department of Environmental Quality

- Craig McOmie, Program Principal, Integrated Solid Waste Management , Craig.McOmie@wyo.gov , 307-473-3487