

SB26-101, Local Govt. Landfill Methane Emission Reduction Regulations Senators Roberts & B. Pelton | Representatives Lukens & Richardson

The Air Quality Control Commission adopted *Regulation 31*, creating new requirements on all landfills to reduce methane emissions. Regulations are tiered based on waste in place and current emissions. Publicly owned landfills received a three year extension to comply.

SB26-101 acknowledges that compliance may impose a financial burden and acknowledges the states role in assisting local governments to comply.

Bill Summary, as amended:

Section 1: Legislative Declaration

- Recognizes Regulation 31 and the compliance burden.
- States legislative intent that existing funding sources help with compliance.
 - Community Impact Cash Fund (Department of Public Health & Environment)
 - Mineral Impact Fund (Department of Local Affairs)
- Says priority should go to *local government-owned or operated landfills* because local governments have limited access to private capital.

Section 2: Prioritization of Public Landfills

- Allows CDPHE to use the *Community Impact Cash Fund* for grants for municipal solid waste landfill methane emission reduction projects.
- Projects must meet existing grant criteria, including qualify as environmental mitigation projects.
- Requires the Environmental Justice Advisory Board to prioritize grants to *local governments* over private landfill operators.
 - Necessary because private entities may also apply for these grant dollars; unlike the Mineral Impact Fund
- Grants are *supplemental funding only*, not the full or exclusive funding source.

Section 3: Disproportionately Impacted Community Definition

- Updates the census-data timing language used in the definition of “disproportionately impacted community.” (technical request of by Department of Public Health & Environment)

Fiscal Impact | No appropriation required

The fiscal note says the bill expands allowable uses of *existing grant funds*, but does not require specific awards or new funding.

Bottom Line

SB26-101 creates a pathway for local governments to seek supplemental grant support from a existing state funds to help comply with state-imposed landfill methane requirements.