

RESOLUTION _____

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

**A RESOLUTION TO APPROVE SUBMISSION OF HAZARDOUS WASTE TRUST FUND
REIMBURSEMENT APPLICATION**

WHEREAS, the City of Lawrenceville (the “City”) is a “local government” as defined in the Rules of the Georgia Department of Natural Resources, Environmental Protection Division (hereinafter, “EPD Rules”), Rule number 391-3-19-.09; and

WHEREAS, the City is a municipal corporation within the meaning of O.C.G.A. Section 12-8-95(b)(4) and EPD Rule 391-3-19-.09; and

WHEREAS, a portion of the site more particularly described in Exhibit “A” attached hereto was a solid waste handling facility as defined by EPD Rule 391-3-4-.10(67) (hereinafter, “the Site”), and has been placed on the Hazardous Site Inventory pursuant to the Hazardous Site Response Act (O.C.G.A., Section 12-8-90 et seq.); and

WHEREAS, the Director of the Georgia Department of Natural Resources, Environmental Protection Division (“EPD”) has notified the City in writing that the City is a “responsible party” (as defined in EPD Rule 391 3-19-.02(2)(s)) for the Site; and

WHEREAS, the City has expended certain costs associated with the investigation, remediation, post-closure care and maintenance of the Site (hereinafter, “the Costs”); and

WHEREAS, the Costs (or a portion thereof) may be eligible for reimbursement to the City by the Director of EPD from the Hazardous Waste Trust Fund (pursuant to O.C.G.A. Section 12-8-90 et seq., EPD Rule 391-3-19-.09 and other pertinent law), provided said Costs (or portion thereof) are determined by EPD to be “Eligible Costs” (as defined in EPD Rule 391-3-19-.09(4)(a)), and provided the City has met the “Eligibility Requirements” set forth in EPD Rule 391-3-19-.09(2); and

WHEREAS, the said “Eligibility Requirements” set forth in EPD Rule 391-3-19-.09(2) require, among other things, that the following criteria be met in order for the Costs (or portion thereof) to be eligible for reimbursement:

“...(e) the state or local government has adopted an authorizing resolution; and

(f) the state or local government has submitted to the Director [of EPD] a completed application for financial assistance on forms as provided by the Director...”; and

WHEREAS, the City desires to make application to EPD for reimbursement of the Costs (or a portion thereof) on the form(s) provided by the Director of EPD (as completed and attached

hereto as Exhibit "B"), and to take any other action which may be necessary or appropriate to have the Costs (or portion thereof) fully considered for such purposes; and

WHEREAS, in the event the attached application is approved by EPD, the City desires to receive the sums approved by EPD as reimbursement of the Costs (or a portion thereof), and to process, administratively handle and utilize said sums for such approved purposes; and

WHEREAS, the City is confident that it can otherwise satisfy the "Eligibility Requirements" set forth in EPD Rule 391-3-19-.09(2);

NOW, THEREFORE, BE IT RESOLVED that the City Manager and his designees are hereby fully authorized to complete and execute the application attached hereto as Exhibit "B" on behalf of the City, and to submit same to EPD for its consideration.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take any and all other action, without further approval or action of the Mayor and City Council (including, but not limited to, executing supplemental forms, application amendments, additional applications and the like, and providing additional information or documentation), which may be necessary or appropriate in order for the Costs (or portion thereof) to be fully considered by EPD for reimbursement from the Hazardous Waste Trust Fund in accordance with the provisions of O.C.G.A. Section 12-8-90 et seq., EPD Rule 391-3-19-.09, and other pertinent law.

IT IS SO RESOLVED this ____ day of _____, 2025.

THE CITY OF LAWRENCEVILLE

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk