
HOUSE BILL 1865

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Rust, Chandler, Valle and Prince.

Read first time February 12, 1991. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to the sizing of hazardous waste disposal
2 facilities; amending RCW 70.105.215; adding a new section to chapter
3 70.105 RCW; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.105.215 and 1986 c 210 s 3 are each amended to read
6 as follows:

7 (1) The legislature recognizes ((the)) that if efforts at hazardous
8 substance use reduction and waste reduction do not reduce the quantity
9 of hazardous wastes generated in this region, there may be a need for
10 new, modified, or expanded facilities to treat, incinerate, or
11 otherwise process or dispose of hazardous substances safely. In order
12 to ((encourage)) plan for the development of such facilities when
13 needed, the department shall adopt rules as necessary regarding the
14 permitting of such facilities to ensure the most expeditious permit

1 processing possible consistent with the substantive requirements of
2 applicable law.

3 (2) The department may issue a permit for a hazardous waste
4 disposal facility only if the department determines there is adequate
5 information to determine that the facility is sized no larger than is
6 necessary to meet the needed capacity of the region, as determined
7 pursuant to section 2 of this act.

8 (3) If the owner((s)) and operator((s)) of a proposed hazardous
9 waste disposal facility are not the same entity, the operator shall be
10 the permit applicant and responsible for the development of the permit
11 application and all accompanying materials, as long as the owner also
12 signs the application and certifies its ownership of the real property
13 described in the application, and acknowledges its awareness of the
14 contents of the application and receipt of a copy thereof.

15 NEW SECTION. Sec. 2. A new section is added to chapter 70.105 RCW
16 to read as follows:

17 As part of the hazardous waste management plan developed pursuant
18 to RCW 70.105.200, the department shall estimate the need for landfill
19 and incineration capacity for hazardous wastes generated in this state,
20 Idaho, Oregon, and Alaska. In determining the needed capacity, the
21 department shall consider the following factors:

22 (1) The amount of hazardous waste that would be generated if
23 hazardous waste reduction efforts were vigorously implemented
24 throughout the state and the region; and

25 (2) The preferred management hierarchy established in RCW
26 70.105.150 shall be applied to all hazardous waste generated or treated
27 and disposed of in this state, so that wastes destined for landfill or
28 incineration are only those which are appropriate for that method of
29 disposal.

1 NEW SECTION. **Sec. 3.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect immediately.