

FINAL BILL REPORT

SHB 1039

C 225 L 07

Synopsis as Enacted

Brief Description: Allowing the department of ecology to issue opinions for a portion of a facility under the model toxics control act.

Sponsors: By House Committee on Select Committee on Environmental Health (originally sponsored by Representatives B. Sullivan, Kenney and Chase).

House Select Committee on Environmental Health
Senate Committee on Water, Energy & Telecommunications

Background:

The Department of Ecology (Department) administers the Model Toxics Control Act (MTCA). As part of its administration, the Department is authorized to advise and assist owners of contaminated land. Advice and assistance regarding independent remedial actions may be provided in a written opinion by the Department. The written opinion may address whether independent remedial actions or proposals for those actions meet requirements of the MTCA or whether further independent remedial actions are required. This written opinion may result in what is informally referred to by the Department as a "No Further Action" (NFA) letter or opinion.

Written opinions or advice given by the Department apply to facilities. Facilities generally consist of any site where contamination or a hazardous substance is located. A facility may consist of one or more parcels of land with common owners or different owners. The Department does not issue NFA opinions for portions of facilities if the entire facility would not be issued a NFA opinion.

Summary:

The Department is not precluded from issuing written opinions under the MTCA on whether further remedial action is necessary for a portion of the real property located within a facility. An opinion on a portion of a facility must also include an opinion on the status of the whole facility.

Votes on Final Passage:

House	97	0
Senate	49	0

Effective: July 22, 2007