

1 **SHB 1448 - H AMD 0129 FAILED 03/17/99**

2 By Representative Campbell

3 On page 3, after line 21, insert the following:

4 (4) If the department of ecology, in exercising its regulatory
5 authority to require cleanup of contaminated sediments, chooses a
6 remedial action or concurs with an action required under the federal
7 comprehensive environmental response, compensation, and liability act
8 of 1980 (42 U.S.C. 9601 et seq.) that requires the use of state-owned
9 aquatic land for containment or disposal of sediments, or for
10 mitigation of habitat, the department shall develop a management plan
11 for the disposal site that includes the following:

12 (a) Provisions for the monitoring, active management, and
13 maintenance of disposal sites; and

14 (b) A mechanism of financial assurance, such as an insurance
15 policy or bond, that provides sufficient financial resources from those
16 potentially liable parties disposing of contaminated sediments in the
17 site to indemnify the state from liability associated with the disposal
18 of contaminated sediments on state-owned aquatic land.

19 (5) The department shall retain the services of a risk assessor or
20 insurance underwriter to estimate the amount of financial assurance
21 necessary to indemnify the state from liability, and shall develop a
22 fee schedule or other payment schedule that allows each contributor of
23 contaminated sediments to the state-owned aquatic disposal site, except
24 for the state of Washington, to pay a proportional share of such
25 assurance.-

26 Renumber the remaining subsections consecutively and correct internal
27 references accordingly

28 ---END---

EFFECT: Requires the Department of Ecology to develop a management plan for any contaminated sediment disposal site on state-owned aquatic lands, and requires the department to retain the services

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of a risk assessor for the purposes of indemnifying the state from any liability associated with the acceptance of contaminated sediments on state-owned aquatic lands.