

# House Bill Analysis

## HB 1964

HOUSE AGRICULTURE AND ECOLOGY COMMITTEE

January 28, 2000

- Expands the actions taken with regard to pesticides and fertilizers for growing crops that are exempted from certain liability provisions of the Model Toxics Control Act.

### **BACKGROUND:**

Under the state's Model Toxics Control Act, certain persons are jointly and severally liable for all remedial action costs and for all natural resource damages resulting from releases or threatened releases of hazardous substances. Among the persons generally liable are those who own a facility or who owned the facility at the time hazardous substances were disposed of or released. However, exemptions from this liability are provided by the Act. Among those exempted are those who, for the purposes of growing food crops, apply pesticides or fertilizers without negligence and in accordance with all applicable laws and rules. (RCW 70.105D.040.)

### **SUMMARY:**

The exemption from liability provided by the Model Toxics Control Act to those taking certain actions to grow food crops is expanded. The exemption now also applies to those who, for the purposes of growing food crops: prepare, store, mix, transport, clean residues of, or otherwise use pesticides or fertilizers without negligence and in accordance with all applicable laws and rules.