

SENATE BILL REPORT

E2SSB 5730

As Passed Senate, March 17, 1999

Title: An act relating to financial responsibility requirements for operators of solid waste landfills.

Brief Description: Changing financial responsibility requirements for operators of solid waste landfills.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Rasmussen and Swecker).

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/18/99, 2/25/99 [DPS-WM, DNPS].

Ways & Means: 3/8/99 [DP2S, DNPS].

Passed Senate, 3/17/99, 31-17.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: That Substitute Senate Bill No. 5730 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Jacobsen, McAuliffe and Swecker.

Minority Report: Do not pass substitute.

Signed by Senators Honeyford and Morton.

Staff: Richard Ramsey (786-7412)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5730 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Fairley, Fraser, Kline, Kohl-Welles, Rasmussen, Snyder, Spanel, Thibaudeau, West, Wojahn and Zarelli.

Minority Report: Do not pass substitute.

Signed by Senator Honeyford.

Staff: Kari Guy (786-7437)

Background: Under current law, all permitted solid waste landfills must be able to pay for the closure and postclosure care of the facility. Regulations require that public facilities establish a reserve account dedicated for closure. The reserve account funds accrue gradually over the life of the facility and should equal the original cost estimate for closure

and postclosure care of the facility. Private facilities are allowed to use alternative funding mechanisms.

Summary of Bill: A new legal category of large, above-grade landfills is created. These landfills have a design of greater than 100 acres, average more than 100 feet in height above the existing site and are wholly new facilities. The permit applicants or holders for these landfills must demonstrate that they have the financial capability to deal with the cleanup and closure at the facility due to an emergency that breaches the integrity of the landfill such as a geologic or weather-related event.

Appropriation: None.

Fiscal Note: Requested on February 17, 1999.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For (Environmental Quality & Water Resources): The bill is necessary to insure clean up of a landfill if a private company goes out of business. This measure could preempt construction of the LRI landfill.

Testimony Against (Environmental Quality & Water Resources): At the request of Pierce County, LRI took over the Meridian landfill and began work to site a new landfill. This bill represents a doubling of financial assurances and is not necessary because the Department of Ecology has been effective in achieving clean-up of landfills.

Testified (Environmental Quality & Water Resources): Jerry Hanson, CROWD (pro); Dave Ellis, NW Trek (pro); Pat Dunn, Land Resource, Inc. (con); Laurie Davies, Sue Mauermann, Ecology (concerns).

Testimony For (Ways & Means): Taxpayers shouldn't have to pay for the cleanup of a privately-owned landfill.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): Senator Rasmussen, prime sponsor.