

SENATE BILL REPORT

SB 6150

As Reported By Senate Committee On:
Environmental Quality & Water Resources, January 28, 2000

Title: An act relating to studying options for funding contaminated sediment cleanup.

Brief Description: Studying options for funding contaminated sediment cleanup.

Sponsors: Senators Fraser, Jacobsen, T. Sheldon, Fairley, Rasmussen, Gardner, Winsley, Franklin, Kline and Spanel; by request of Commissioner of Public Lands and Department of Fish and Wildlife.

Brief History:

Committee Activity: Environmental Quality & Water Resources: 1/14/2000, 1/28/2000 [DPS-WM, DNP].

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: That Substitute Senate Bill No. 6150 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, Morton and Swecker.

Minority Report: Do not pass.

Signed by Senator Honeyford.

Staff: Genevieve Pisarski (786-7488)

Background: Over 5,000 acres of Puget Sound sediments are estimated to be contaminated at more than 60 sites, representing approximately three to 12 million cubic yards of contaminated material and an estimated clean-up cost of \$450 million. Under federal and state laws, including the Superfund law and the Model Toxics Control Act and water quality laws, the cost of clean-up is to be paid by the parties responsible for the contamination. In the event that responsible parties cannot be identified, no longer exist, or are not financially viable, the applicable laws provide for some amount of public contribution to clean-up. Public contribution to clean-up also arises as a result of state ownership of aquatic lands, inasmuch as the state can be one of the responsible parties required to pay clean-up costs, when it is the landowner at a contaminated site, and the state may be called on to provide aquatic lands for such disposal of contaminated sediments following clean-up.

Summary of Substitute Bill: The Washington State Institute for Public Policy is directed to research options for funding the public share of clean-up of contaminated sediments in Puget Sound. The institute must report to the Legislature by December 1, 2000.

Substitute Bill Compared to Original Bill: Information regarding options for funding public share benefits current cleanup efforts. It is clarified that the scope of research will be funding, both federal and state, of public share of clean-up costs.

Appropriation: \$100,000.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The public share of cleanup costs is the issue. State agencies do not currently have the funding necessary to cover public share of cleanup costs. A search for methods and sources of funding used in other parts of the country and additional alternatives is necessary.

Testimony Against: Funding the public share of cleanup costs is already being addressed elsewhere and much is already known; this small amount of additional information is unnecessary. Funding public share is secondary to what is needed first, adoption of cleanup goals and work plans, which is still lacking, due to profound governance problems. The likely results of the proposed research will be too general to be useful, because the potential sources of information are mainly estimates, expressed as broad ranges.

Testified: Bruce Wishart, People for Puget Sound; Greg Hueckel, WDFW (pro); Chuck Turley; Eric Johnson, WA Public Ports Assn. (concerns); Bill Sullivan, Puyallup Tribe (con).