

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5729

Chapter 116, Laws of 1999

56th Legislature
1999 Regular Session

SOLID WASTE LANDFILLS--LOCATION

EFFECTIVE DATE: 4/27/99

Passed by the Senate March 17, 1999
YEAS 32 NAYS 16

BRAD OWEN
President of the Senate

Passed by the House April 25, 1999
YEAS 56 NAYS 38

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved April 27, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5729** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

April 27, 1999 - 4:15 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5729

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Rasmussen and Swecker)

Read first time 02/26/1999.

1 AN ACT Relating to standards for location of certain solid waste
2 landfills; amending RCW 70.95.060; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.95.060 and 1969 ex.s. c 134 s 6 are each amended to
5 read as follows:

6 (1) The department ((in accordance with procedures prescribed by
7 the Administrative Procedure Act, chapter 34.05 RCW, as now or
8 hereafter amended, may)) shall adopt ((such)) rules establishing
9 minimum functional standards for solid waste handling ((as it deems
10 appropriate)), consistent with the standards specified in this section.
11 The department ((in adopting such standards)) may classify areas of the
12 state with respect to population density, climate, geology, and other
13 relevant factors bearing on solid waste disposal standards.

14 (2) In addition to the minimum functional standards adopted by the
15 department under subsection (1) of this section, each landfill facility
16 whose area at its design capacity will exceed one hundred acres and
17 whose horizontal height at design capacity will average one hundred
18 feet or more above existing site elevations shall comply with the
19 standards of this subsection. This subsection applies only to wholly

1 new solid waste landfill facilities, no part or unit of which has had
2 construction commence before the effective date of this section.

3 (a) No landfill specified in this subsection may be located:

4 (i) So that the active area is closer than five miles to any
5 national park or a public or private nonprofit zoological park
6 displaying native animals in their native habitats; or

7 (ii) Over a sole source aquifer designated under the federal safe
8 drinking water act, if such designation was effective before January 1,
9 1999.

10 (b) Each landfill specified in this subsection (2) shall be
11 constructed with an impermeable berm around the entire perimeter of the
12 active area of the landfill of such height, thickness, and design as
13 will be sufficient to contain all material disposed in the event of a
14 complete failure of the structural integrity of the landfill.

15 NEW SECTION. Sec. 2. This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

Passed the Senate March 17, 1999.

Passed the House April 25, 1999.

Approved by the Governor April 27, 1999.

Filed in Office of Secretary of State April 27, 1999.