

# SENATE BILL REPORT

## SSB 6095

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As Passed Senate, February 8, 1996

**Title:** An act relating to standards for location of certain solid waste landfills.

**Brief Description:** Establishing parameters for solid waste facility locational standards.

**Sponsors:** Senate Committee on Ecology & Parks (originally sponsored by Senator Rasmussen).

**Brief History:**

**Committee Activity:** Ecology & Parks: 1/16/96, 1/30/96 [DPS].  
Passed Senate, 2/8/96, 34-12.

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### SENATE COMMITTEE ON ECOLOGY & PARKS

**Majority Report:** That Substitute Senate Bill No. 6095 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Fairley, Vice Chair; Spanel and Swecker.

**Staff:** Susan Ridgley (786-7444)

**Background:** "Minimum functional standards" is the term used to describe the performance, design, maintenance and operating requirements for solid waste landfills. In 1993, the Department of Ecology issued its final regulations addressing the minimum functional standards which apply to municipal solid waste and fills. The minimum functional standards which apply to all other types of landfills are covered by rule under a less stringent standard. Additionally, local health departments may enact more stringent ordinances for any of the landfill facilities in their jurisdiction.

The current minimal functional standards for municipal solid waste landfills include an array of safeguards, including location criteria, construction and liner requirements, operational standards, and ground and surface water monitoring requirements. Because one of these requirements is that the lowest liner must be more than 10 feet above the seasonal high level of ground water, landfills which are sited in wet areas must be built up.

**Summary of Bill:** The statute pertaining to solid waste facilities is amended to specify certain stringent locational and design standards for large, above-grade landfills. Such landfills must meet three requirements: (1) their design capacity could be larger than 100 acres in area; (2) their design capacity could average more than 100 feet in height above the existing site; and (3) they are wholly new facilities.

For these facilities, the following new requirements apply:

- (1) Must be more than 2,000 ft. from drinking water well (previous regulation was 1,000 ft.).

- (2) Must be more than 1,000 ft. from residential property line (previous regulation was 250 ft.).
- (3) Must be more than 1,000 ft. from a water body (previous regulation was 200 ft.).
- (4) Must be more than 5 miles from a local, state or national park (previous regulation was 1,000 ft. and limited to state and national parks).
- (5) Not allowed over designated sole source aquifer (previous regulation allowed siting over a sole source aquifer if determination made not vulnerable).
- (6) Must have an impermeable berm constructed around the landfill, large enough to contain all material inside the landfill (no previous equivalent regulation).

**Appropriation:** None.

**Fiscal Note:** Requested on January 10, 1996.

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

**Testimony For:** This bill will accomplish the citizen's goal of preventing the siting of Land Recovery Inc. (LRI) landfill in Pierce County. LRI should be stopped because of the potentially prohibitive expense to clean up the contaminated aquifer, and because the site is a wetland. Further, the landfill may not be necessary, and LRI itself has a bad past history as operator. It also could affect tourist traffic, and there would be the aesthetic impact of having a huge mound blocking the view of Mt. Rainier.

**Testimony Against:** The existing minimum function standards were developed with best engineering information available. This bill invalidates the county's solid waste plan and its policy of managing wastes in-county, and would greatly increase costs for county ratepayers. Other counties' existing landfills would also be affected, and would eliminate siting in western Washington. The LRI site has met all standards, is ideal because of geology and zoning, and studies have shown won't be able to see from road.

**Testified:** Darlene Madenwald, Organization for the Preservation of Ag Land (pro); Elizabeth Schrag, WA Citizens for Resource Conservation (pro); Jill S. Kruger, CROWD (pro); Viki Steiner, CROWD (pro); Stephen C. Wamback, Pierce County (con); Dan Syrdal, Land Recovery Inc. (con); Nancy Gloman, US Fish and Wildlife Service (pro); Wendy Hall, R-CAUS (pro); Marianne Krzek, Trout Unlimited (pro); Bill Vogler, WSAC (con); Jim Pendowski, Dept. of Ecology.