
HOUSE BILL 2015

State of Washington 54th Legislature 1995 Regular Session

By Representatives McMorris, Sheldon and Fuhrman

Read first time 02/22/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to exemptions from hazardous waste management
2 requirements; and amending RCW 70.105.035.

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

4 **Sec. 1.** RCW 70.105.035 and 1994 c 254 s 5 are each amended to read
5 as follows:

6 (1) Solid wastes that designate as dangerous waste or extremely
7 hazardous waste but do not designate as hazardous waste under federal
8 law are conditionally exempt from the requirements of this chapter, if:

9 ~~((1))~~ (a) The waste is generated pursuant to a consent decree
10 issued under chapter 70.105D RCW;

11 ~~((2))~~ (b) The consent decree characterizes the solid waste and
12 specifies management practices and a department-approved treatment or
13 disposal location;

14 ~~((3))~~ (c) The management practices are consistent with RCW
15 70.105.150 and are protective of human health and the environment as
16 determined by the department of ecology; and

17 ~~((4))~~ (d) Waste treated or disposed of on-site will be managed in
18 a manner determined by the department to be as protective of human

1 health and the environment as clean-up standards pursuant to chapter
2 70.105D RCW.

3 This section shall not be interpreted to limit the ability of the
4 department to apply any requirement of this chapter through a consent
5 decree issued under chapter 70.105D RCW, if the department determines
6 these requirements to be appropriate. Neither shall this section be
7 interpreted to limit the application of this chapter to a cleanup
8 conducted under the federal comprehensive environmental response,
9 compensation, and liability act (42 U.S.C. Sec. 9601 et seq., as
10 amended).

11 (2) Solid waste from the extraction, beneficiation, and processing
12 of ores and minerals as excluded by federal regulations, as listed at
13 40 C.F.R. Sec. 261.4(a)(7), are exempt from the requirements of this
14 chapter. Management standards for these wastes must be protective of
15 human health and the environment as demonstrated by the generator of
16 such waste and approved by the department of ecology.

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