

FINAL BILL REPORT

SHB 2670

PARTIAL VETO

C 114 L 00

Synopsis as Enacted

Brief Description: Authorizing the department of ecology to waive the requirement for a reserve account for landfills.

Sponsors: By House Committee on Agriculture & Ecology (originally sponsored by Representatives Delvin, Linville, G. Chandler and Hankins).

House Committee on Agriculture & Ecology
Senate Committee on Environmental Quality and Water Resources

Background:

State law requires the holder of or an applicant for a permit for a landfill disposal facility to establish a reserve account to cover the costs of closing the facility in accordance with state and federal law. Post-closure care of a landfill is generally required for a period of thirty years, but this length of time may be increased or decreased by the jurisdictional health department under certain conditions. The reserve account must be designed to ensure that there will be adequate revenue available by the projected date of closure.

A landfill disposal facility maintained on private property for the sole use of the entity owning the site, however, is not required to establish a reserve account if the entity provides another form of financial assurance to the satisfaction of the Department of Ecology that is adequate to comply with the closure requirements. An irrevocable letter of credit is an example of another form of financial assurance.

Summary of Bill:

A landfill disposal facility operated and maintained by a government is not required to establish a reserve account to cover the costs of closing a facility if, to the satisfaction of the Department of Ecology, the permit holder or applicant provides another form of financial assurance adequate to comply with the closure requirements. The department is not required to adopt rules pertaining to other approved forms of financial assurance.

The state Solid Waste Advisory Committee is required to direct a study by the Department of Ecology on the adequacy of financing to assure landfill closure. The study must include a description of the financial assurance mechanisms currently

authorized, a summary of the financial assurances currently in place for landfills in the state, and the effect of various financial assurance mechanisms on consumers' rates. The report is due by December 15, 2000.

Votes on Final Passage:

House 96 1
Senate 47 0 (Senate amended)
House 98 0 (House concurred)

Effective: June 8, 2000

Partial Veto Summary: The Governor vetoed the section which required the Solid Waste Advisory Committee (SWAC) to direct the Department of Ecology to study the adequacy of financing to ensure landfill closures. The veto message indicates that the study will be done by the department in consultation with the UTC and SWAC.