

HOUSE BILL REPORT

HB 2636

*As Reported By House Committee on:
Environmental Affairs
Revenue*

Title: An act relating to solid waste received from outside the state.

Brief Description: Requiring solid waste reports and landfill fee reciprocity on waste received from outside the state.

Sponsor(s): Representatives Rust, Horn, Valle, Heavey and Brekke.

Brief History:

Reported by House Committee on:
Environmental Affairs, January 31, 1992, DPS;
Revenue, February 8, 1992, DPS(ENA-A REV).

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 11 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; J. Kohl; Neher; Pruitt; and Van Luven.

Staff: Rick Anderson (786-7114).

Background: One regional solid waste landfill is currently operating in Washington State and another is planned to open in 1993. The Rabanco Company is operating a site in Klickitat County with an estimated capacity in excess of 40 million tons. A company owned by Waste Management Incorporated is planned in Adams County with an estimated capacity of 60 million tons. The combined residential, commercial, and industrial waste stream generated annually in Washington State is between four and five million tons.

Two regional landfills, with a total capacity of 100 million tons, are currently operating in Oregon. Seattle has begun sending its waste to one of these facilities and is paying a \$2.25 disposal surcharge to the state of Oregon. Oregon has adopted legislation requiring out-of-state waste to meet certain standards prior to being disposed in Oregon.

Under current law, there are no reporting requirements on out-of-state waste imported into this state nor are there any provisions authorizing the Department of Ecology to assess a fee on such waste. Solid waste generated in this state must meet certain waste reduction and recycling requirements. There are no similar standards for out-of-state waste that is imported into this state.

Summary of Substitute Bill: Owners or operators of solid waste landfills are required to notify the Department of Ecology 60 days before receiving solid waste generated from an out-of-state source. Ecology must prepare reporting guidelines; the guidelines must provide less than 60 day notice for shipments of waste made on an emergency or short-term basis.

The Department of Ecology is directed to impose a fee on out-of-state solid waste incinerated or disposed of in this state, if a state imposes a disposal fee on solid waste generated in Washington State. Half of the funds received from the fee must go to the appropriate local health department.

The department is required to prohibit land disposal and incineration of solid waste generated outside of this state, if the entity generating the waste does not have waste reduction and recycling requirements comparable to those required in Washington State.

The reciprocal fees and prohibitions do not apply to contracts entered into prior to March 1, 1992.

Substitute Bill Compared to Original Bill: The substitute bill adds provisions that lessen the reporting requirements for emergency and short-term shipments of solid waste and that allow local health departments to receive 50 percent of the fees collected by the Department of Ecology. The substitute changes the standard used to prohibit out-of-state waste from "equivalent recycling rate" to "comparable waste reduction and recycling" requirements. The substitute adds a provision exempting out-of-state waste from a possible prohibition if a contract for its incineration or disposal was entered into on or before March 1, 1992.

Fiscal Note: Requested January 24, 1992.

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

Testimony For: The bill will provide much needed information on out-of-state waste that is landfilled or incinerated in this state and will ensure that out-of-state

waste imported into this state will meet the same requirements that waste generated in Washington State must meet.

Testimony Against: None.

Witnesses: Tom Eaton, Department of Ecology (pro); and David Michener, Waste Management (pro).

**HOUSE COMMITTEE ON
REVENUE**

Majority Report: *The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill as amended by Committee on Revenue do pass.* Signed by 14 members: Representatives Wang, Chair; Fraser, Vice Chair; Brumsickle, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Carlson; Day; J. Kohl; Leonard; Morris; Morton; Rust; and Silver.

Staff: Robin Appleford (786-7093).

Summary of Recommendation of Committee on Revenue Compared to Recommendation of Committee on Environmental Affairs: A change is made to conform language to intent of the bill.

Fiscal Note: Available.

Effective Date of Substitute Bill as Amended: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a tax on waste from other states, not from Washington. The idea is that if they tax us, we'll tax them. It's important to have this in place because Washington has a large landfill near Oregon.

Testimony Against: None.

Witnesses: Representative Nancy Rust, Prime Sponsor (in favor).