

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2633

Chapter 17, Laws of 1992

52nd Legislature
1992 Regular Session

PRIVATELY OWNED HAZARDOUS AND MODERATE-RISK WASTE
FACILITIES--ENCOURAGEMENT BY LOCAL GOVERNMENTS OF USE OF

EFFECTIVE DATE: 6/11/92

Passed by the House February 18, 1992
Yeas 98 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Passed by the Senate March 5, 1992
Yeas 49 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 20, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2633 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON

Chief Clerk

FILED

March 20, 1992 - 9:17 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2633

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Rust, Horn, Valle, Heavey and J. Kohl

Read first time 01/22/92. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to local hazardous waste plans; and amending RCW
2 70.105.220.

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

4 **Sec. 1.** RCW 70.105.220 and 1986 c 210 s 1 are each amended to read
5 as follows:

6 (1) Each local government, or combination of contiguous local
7 governments, is directed to prepare a local hazardous waste plan which
8 shall be based on state guidelines and include the following elements:

9 (a) A plan or program to manage moderate-risk wastes that are
10 generated or otherwise present within the jurisdiction. This element
11 shall include an assessment of the quantities, types, generators, and
12 fate of moderate-risk wastes in the jurisdiction. The purpose of this
13 element is to develop a system of managing moderate-risk waste,

1 appropriate to each local area, to ensure protection of the environment
2 and public health;

3 (b) A plan or program to provide for ongoing public involvement and
4 public education in regard to the management of moderate-risk waste.
5 This element shall provide information regarding:

6 (i) The potential hazards to human health and the environment
7 resulting from improper use and disposal of the waste; and

8 (ii) Proper methods of handling, reducing, recycling, and disposing
9 of the waste;

10 (c) An inventory of all existing generators of hazardous waste and
11 facilities managing hazardous waste within the jurisdiction. This
12 inventory shall be based on data provided by the department;

13 (d) A description of the public involvement process used in
14 developing the plan;

15 (e) A description of the eligible zones designated in accordance
16 with RCW 70.105.225. However, the requirement to designate eligible
17 zones shall not be considered part of the local hazardous waste
18 planning requirements; and

19 (f) Other elements as deemed appropriate by local government.

20 (2) To the maximum extent practicable, the local hazardous waste
21 plan shall be coordinated with other hazardous materials-related plans
22 and policies in the jurisdiction.

23 ~~(3) ((In recognition of the role of the private sector in providing~~
24 ~~hazardous and moderate risk waste management facilities and~~
25 ~~transportation services, and in addition to other public involvement~~
26 ~~activities that may be required,))~~ Local governments shall coordinate
27 with those persons involved in providing ~~((such))~~ privately owned
28 hazardous and moderate-risk waste facilities and services as follows:
29 If a local government determines that a moderate-risk waste will be or
30 is adequately managed by one or more privately owned facilities or

1 services at a reasonable price, the local government shall take actions
2 to encourage the use of that private facility or service. Actions
3 taken by a local government under this subsection may include, but are
4 not limited to, restricting or prohibiting the land disposal of a
5 moderate-risk waste at any transfer station or land disposal facility
6 within its jurisdiction.

7 (4)(a) The department shall prepare guidelines for the development
8 of local hazardous waste plans. The guidelines shall be prepared in
9 consultation with local governments and shall be completed by December
10 31, 1986. The guidelines shall include a list of substances identified
11 as hazardous household substances.

12 (b) In preparing the guidelines under (a) of this subsection, the
13 department shall review and assess information on pilot projects that
14 have been conducted for moderate-risk waste management. The department
15 shall encourage additional pilot projects as needed to provide
16 information to improve and update the guidelines.

17 (5) The department shall consult with retailers, trade
18 associations, public interest groups, and appropriate units of local
19 government to encourage the development of voluntary public education
20 programs on the proper handling of hazardous household substances.

21 (6) Local hazardous waste plans shall be completed and submitted to
22 the department no later than June 30, 1990. Local governments may from
23 time to time amend the local plan.

24 (7) Each local government, or combination of contiguous local
25 governments, shall submit its local hazardous waste plan or amendments
26 thereto to the department. The department shall approve or disapprove
27 local hazardous waste plans or amendments by December 31, 1990, or
28 within ninety days of submission, whichever is later. The department
29 shall approve a local hazardous waste plan if it determines that the
30 plan is consistent with this chapter and the guidelines under

1 subsection (4) of this section. If approval is denied, the department
2 shall submit its objections to the local government within ninety days
3 of submission. However, for plans submitted between January 1, 1990,
4 and June 30, 1990, the department shall have one hundred eighty days to
5 submit its objections. No local government is eligible for grants
6 under RCW 70.105.235 for implementing a local hazardous waste plan
7 unless the plan for that jurisdiction has been approved by the
8 department.

9 (8) Each local government, or combination of contiguous local
10 governments, shall implement the local hazardous waste plan for its
11 jurisdiction by December 31, 1991.

12 (9) The department may waive the specific requirements of this
13 section for any local government if such local government demonstrates
14 to the satisfaction of the department that the objectives of the
15 planning requirements have been met.

Passed the House February 18, 1992.

Passed the Senate March 5, 1992.

Approved by the Governor March 20, 1992.

Filed in Office of Secretary of State March 20, 1992.