

2 **SHB 1047** - S COMM AMD
3 By Committee on Ecology & Parks

4 ADOPTED 4/16/93

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.95 RCW
8 to read as follows:

9 The legislature finds that:

10 (1) The state of Washington has responded to the increasing
11 challenges of safe, affordable disposal of solid waste by an ambitious
12 program of waste reduction, recycling and reuse, as well as strict
13 standards to ensure the safe handling, transportation, and disposal of
14 solid waste;

15 (2) All communities in Washington participate in these programs
16 through locally available recycling services, increased source
17 separation and material recovery requirements, programs for waste
18 reduction and product reuse, and performance standards that apply to
19 all solid waste disposal facilities in the state;

20 (3) New requirements for the siting and performance of disposal
21 facilities have greatly decreased the number of such facilities in
22 Washington, and the state has a significant interest in ensuring
23 adequate disposal capacity within the state;

24 (4) The landfilling, incineration, and other disposal of solid
25 waste may adversely impact public health and environmental quality, and
26 the state has a significant interest in decreasing volumes of the waste
27 stream destined for disposal;

28 (5) Because of the decreasing number of disposal facilities and
29 other reasons, solid waste is being transported greater distances,
30 often beyond the community where generated and is increasingly being
31 transported between states;

32 (6) Washington's waste management priorities and programs are a
33 balanced approach of increased reuse, recycling and waste reduction,
34 the strengthening of markets for recycled content products, and the
35 safe disposal of the remaining waste stream, with the costs of these
36 programs shared equitably by all persons generating waste in the state;

1 (7) Those residing in other states who generate waste destined for
2 disposal within Washington should also share the costs of waste
3 diversion and management of Washington's disposal facilities, so that
4 the risks of waste disposal and the costs of mitigating those risks are
5 shared equitably by all waste generators, regardless of their location;

6 (8) Because Washington state may not directly regulate waste
7 handling, reduction, and recycling activities beyond its state
8 boundaries, the only reasonable alternative to ensure this equitable
9 treatment of waste being disposed within Washington is to implement a
10 program of reviewing such activities as to waste originating outside of
11 Washington, and to assign the additional costs, when necessary, to
12 ensure that the waste meets standards substantially equivalent to those
13 applicable to waste generated within the state, and, in some cases, to
14 prohibit disposal of waste where its generation and management is not
15 subject to standards substantially equivalent to those applicable to
16 waste generated within the state.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95 RCW
18 to read as follows:

19 (1) At least sixty days prior to receiving solid waste generated
20 from outside of the state, the operator of a solid waste disposal site
21 facility shall report to the department the types and quantities of
22 waste to be received from an out-of-state source. The department shall
23 develop guidelines for reporting this information. The guidelines
24 shall provide for less than sixty days notice for shipments of waste
25 made on a short-term or emergency basis. The requirements of this
26 subsection shall take effect upon completion of the guidelines.

27 (2) Upon notice under subsection (1) of this section, the
28 department shall identify all activities and costs necessary to ensure
29 that solid waste generated out-of-state meets standards relating to
30 solid waste reduction, recycling, and management substantially
31 equivalent to those required of solid waste generated within the state.
32 The department may assess a fee on the out-of-state waste sufficient to
33 recover the actual costs incurred in ensuring that the out-of-state
34 waste meets equivalent state standards. The department may delegate,
35 to a local health department, authority to implement the activities
36 identified by the department under this subsection. All money received
37 from fees imposed under this subsection shall be deposited into the

1 solid waste management account created by RCW 70.95.800, and shall be
2 used solely for the activities required by this section.

3 (3) The department may prohibit in-state disposal of solid waste
4 generated from outside of the state, unless the generators of the waste
5 meet: (a) Waste reduction and recycling requirements substantially
6 equivalent to those applicable in Washington state; and (b) solid waste
7 handling standards substantially equivalent to those applicable in
8 Washington state.

9 (4) The department may adopt rules to implement this section.

10 NEW SECTION. **Sec. 3.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect immediately."

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21 On page 1, line 1 of the title, after "state;" strike the remainder
22 of the title and insert "adding new sections to chapter 70.95 RCW; and
23 declaring an emergency."

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