

2 **SB 6098** - H COMM AMD

3 By Committee on Agriculture & Ecology

4

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

7 "**Sec. 1.** RCW 70.95.030 and 1992 c 174 s 16 are each amended to  
8 read as follows:

9 As used in this chapter, unless the context indicates otherwise:

10 (1) "City" means every incorporated city and town.

11 (2) "Commission" means the utilities and transportation commission.

12 (3) "Committee" means the state solid waste advisory committee.

13 (4) "Department" means the department of ecology.

14 (5) "Director" means the director of the department of ecology.

15 (6) "Disposal site" means the location where any final treatment,  
16 utilization, processing, or deposit of solid waste occurs.

17 (7) "Energy recovery" means a process operating under federal and  
18 state environmental laws and regulations for converting solid waste  
19 into usable energy and for reducing the volume of solid waste.

20 (8) "Functional standards" means criteria for solid waste handling  
21 expressed in terms of expected performance or solid waste handling  
22 functions.

23 (9) "Incineration" means a process of reducing the volume of solid  
24 waste operating under federal and state environmental laws and  
25 regulations by use of an enclosed device using controlled flame  
26 combustion.

27 (10) "Jurisdictional health department" means city, county, city-  
28 county, or district public health department.

29 (11) "Landfill" means a disposal facility or part of a facility at  
30 which solid waste is placed in or on land and which is not a land  
31 treatment facility.

32 (12) "Local government" means a city, town, or county.

33 (13) "Modify" means to substantially change the design or  
34 operational plans including, but not limited to, removal of a design  
35 element previously set forth in a permit application or a disposal or  
36 processing activity that is not approved in the permit.

1        (14) "Multiple family residence" means any structure housing two or  
2 more dwelling units.

3        ~~((14))~~ (15) "Person" means individual, firm, association,  
4 copartnership, political subdivision, government agency, municipality,  
5 industry, public or private corporation, or any other entity  
6 whatsoever.

7        ~~((15))~~ (16) "Recyclable materials" means those solid wastes that  
8 are separated for recycling or reuse, such as papers, metals, and  
9 glass, that are identified as recyclable material pursuant to a local  
10 comprehensive solid waste plan. Prior to the adoption of the local  
11 comprehensive solid waste plan, adopted pursuant to RCW 70.95.110(2),  
12 local governments may identify recyclable materials by ordinance from  
13 July 23, 1989.

14        ~~((16))~~ (17) "Recycling" means transforming or remanufacturing  
15 waste materials into usable or marketable materials for use other than  
16 landfill disposal or incineration.

17        ~~((17))~~ (18) "Residence" means the regular dwelling place of an  
18 individual or individuals.

19        ~~((18))~~ (19) "Sewage sludge" means a semisolid substance  
20 consisting of settled sewage solids combined with varying amounts of  
21 water and dissolved materials, generated from a wastewater treatment  
22 system, that does not meet the requirements of chapter 70.95J RCW.

23        ~~((19))~~ (20) "Solid waste" or "wastes" means all putrescible and  
24 nonputrescible solid and semisolid wastes including, but not limited  
25 to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge,  
26 demolition and construction wastes, abandoned vehicles or parts  
27 thereof, and recyclable materials.

28        ~~((20))~~ (21) "Solid waste handling" means the management, storage,  
29 collection, transportation, treatment, utilization, processing, and  
30 final disposal of solid wastes, including the recovery and recycling of  
31 materials from solid wastes, the recovery of energy resources from  
32 solid wastes or the conversion of the energy in solid wastes to more  
33 useful forms or combinations thereof.

34        ~~((21))~~ (22) "Source separation" means the separation of different  
35 kinds of solid waste at the place where the waste originates.

36        ~~((22))~~ (23) "Vehicle" includes every device physically capable of  
37 being moved upon a public or private highway, road, street, or  
38 watercourse and in, upon, or by which any person or property is or may  
39 be transported or drawn upon a public or private highway, road, street,

1 or watercourse, except devices moved by human or animal power or used  
2 exclusively upon stationary rails or tracks.

3 ~~((23))~~ (24) "Waste reduction" means reducing the amount or  
4 toxicity of waste generated or reusing materials.

5 **Sec. 2.** RCW 70.95.180 and 1988 c 127 s 30 are each amended to read  
6 as follows:

7 (1) Applications for permits to operate new or existing solid waste  
8 ~~((disposal sites))~~ handling facilities shall be on forms prescribed by  
9 the department and shall contain a description of the proposed and  
10 existing facilities and operations at the site, plans and  
11 specifications for any new or additional facilities to be constructed,  
12 and such other information as the jurisdictional health department may  
13 deem necessary in order to determine whether the site and solid waste  
14 disposal facilities located thereon will comply with local and state  
15 regulations.

16 (2) Upon receipt of an application for a permit to establish,  
17 ~~((alter, expand, improve))~~ modify, or continue in use a solid waste  
18 ~~((disposal site))~~ handling facility, the jurisdictional health  
19 department shall refer one copy of the application to the department  
20 which shall report its findings to the jurisdictional health  
21 department.

22 (3) The jurisdictional health department shall investigate every  
23 application as may be necessary to determine whether an existing or  
24 proposed site and facilities meet all solid waste, air, and other  
25 applicable laws and regulations, and conforms with the approved  
26 comprehensive solid waste handling plan, and complies with all zoning  
27 requirements.

28 (4) ~~((When))~~ If the jurisdictional health department finds that the  
29 permit should be issued, it shall issue such permit. Every application  
30 shall be approved or disapproved within ninety days after its receipt  
31 by the jurisdictional health department.

32 (5)(a) Except as provided in (b) of this subsection, every permit  
33 for a solid waste handling facility may be issued for a period of one  
34 to five years, as determined by the local jurisdictional health  
35 department.

36 (b) An existing solid waste handling facility shall be reviewed and  
37 issued a permit before making any changes meeting the criteria under  
38 RCW 70.95.030(13).

1       (6) The jurisdictional board of health may establish reasonable  
2 fees for permits and renewal of permits. All permit fees collected by  
3 the health department shall be deposited in the treasury and to the  
4 account from which the health department's operating expenses are paid.

5       NEW SECTION.   **Sec. 3.**   RCW 70.95.190 and 1984 c 123 s 9 & 1969  
6 ex.s. c 134 s 19 are each repealed."

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10       On page 1, line 1 of the title, after "renewal;" strike the  
11 remainder of the title and insert "amending RCW 70.95.030 and  
12 70.95.180; and repealing RCW 70.95.190."

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