
SUBSTITUTE SENATE BILL 6524

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Hale, Patterson and Honeyford)

Read first time 02/04/2000.

1 AN ACT Relating to financial assurance requirements for landfill
2 disposal facilities maintained by a government; and amending RCW
3 70.95.215.

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

5 **Sec. 1.** RCW 70.95.215 and 1985 c 436 s 1 are each amended to read
6 as follows:

7 (1) By July 1, 1987, each holder or applicant of a permit for a
8 landfill disposal facility issued under this chapter shall establish a
9 reserve account or other approved form of financial assurance to cover
10 the costs of closing the facility in accordance with state and federal
11 regulations. The account shall be designed to ensure that there will
12 be adequate revenue or an alternative funding mechanism available by
13 the projected date of closure. A landfill disposal ((facilities))
14 facility maintained on private property for the sole use of the entity
15 owning the site and a landfill disposal facility maintained by a
16 government shall not be required to establish a reserve account if, to
17 the satisfaction of the department, ((they)) the entity or government
18 provides another form of financial assurance adequate to comply with
19 the requirements of this section.

1 (2) By July 1, 1986, the department shall adopt rules under chapter
2 34.05 RCW to implement subsection (1) of this section. The department
3 is not required to adopt rules pertaining to other approved forms of
4 financial assurance to cover the costs of closing a landfill disposal
5 facility. The rules shall include but not be limited to:

6 (a) Methods to estimate closure costs, including postclosure
7 monitoring, pollution prevention measures, and any other procedures
8 required under state and federal regulations;

9 (b) Methods to ensure that reserve accounts receive adequate funds,
10 including:

11 (i) Requirements that the reserve account be generated by user
12 fees. However, the department may waive this requirement for existing
13 landfills if user fees would be prohibitively high;

14 (ii) Requirements that moneys be placed in the reserve account on
15 a regular basis and that the reserve account be kept separate from all
16 other accounts; and

17 (iii) Procedures for the department to verify that adequate sums
18 are deposited in the reserve account; and

19 (c) Methods to ensure that other types of financial assurance
20 provided in accordance with subsection (1) of this section are adequate
21 to cover the costs of closing the facility.

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