
**Fisheries, Ecology & Parks
Committee**

HB 1743

Brief Description: Addressing problems of hazardous waste facilities.

Sponsors: Representatives Cooper, Uptegrove, Sump, Pearson and Anderson; by request of Department of Ecology.

Brief Summary of Bill

- Directs the Department of Ecology (DOE) to adopt amended rules for financial assurance, pollution liability, and closure plans at facilities accepting hazardous waste and used oil.
- Requires the DOE to establish a system for authorizing recycling and used oil processing operations and develop recommendations for a fee to support the program.

Hearing Date: 2/18/03

Staff: Jeff Olsen (786-7157).

Background:

The Department of Ecology (DOE) has authority under RCW 70.105 to assure that needed hazardous waste management facilities may be sited in the state and to ensure the safe operation of the facilities. The DOE's Hazardous Waste Program administers the permitting of hazardous waste facilities and also requires financial requirements for certain facilities for cleanup and closure of the site.

The 2001 Legislature directed the DOE to assess state and federal requirements concerning hazardous waste management facilities. Problems identified by the DOE include lack of financial responsibility coverage for certain activities at waste management facilities, out-of-date regulations, limited ability to address environmental concerns, lack of public information, and lack of resources for permitting and compliance.

The September 2002 Hazardous Waste Management Facilities report contains three options for addressing concerns with hazardous waste facilities. The options were reviewed by

stakeholders including representatives from the hazardous waste industry, business organizations, local government and environmental groups. The stakeholders acknowledged that there are problems, but failed to reach consensus on priorities and funding.

Summary of Bill:

The DOE must consult with the waste management industry, business, local government, environmental groups, and other interested parties to adopt amended rules governing financial assurance, pollution liability, and closure plans at hazardous waste facilities. The rules must assure that adequate funds are available to pay for safe and orderly cleanup and/or closure of facilities. The proposed rules must require owners and operators of recycling and used oil processing facilities to have financial assurance and pollution liability insurance for the closure of their facilities by December 31, 2005.

By July 1, 2004, the DOE must adopt a rule establishing a system for authorizing recycling and used oil processing operations that are not currently subject to hazardous waste permits. The DOE is directed to minimize paperwork and administrative procedures for facility owners and operators when creating the new authorization system.

The DOE must submit legislative recommendations for a fee-based system to provide funding for permitting, compliance, and assistance programs for hazardous waste facilities, including recyclers and used oil processors, by September 30, 2003. After adoption by the Legislature, the DOE must adopt rules implementing the funding mechanism.

Appropriation: None.

Fiscal Note: Requested February 17, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.