

SENATE BILL REPORT

SHB 2308

As Reported By Senate Committee On:
Natural Resources, Energy & Water, February 25, 2004

Title: An act relating to requiring the department of ecology to develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills.

Brief Description: Requiring the department of ecology to develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills.

Sponsors: House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Schoesler and Cox).

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/25/04 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Majority Report: Do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Hale, Hargrove, Honeyford and Oke.

Staff: Genevieve Pisarski (786-7488)

Background: Effective February 10, 2003, the Department of Ecology adopted new rules to regulate handling of solid waste. The rules respond to recent changes in state law aimed at improving waste disposal and recycling and also to changes in solid waste handling technology.

Inert waste landfills are among the facilities regulated by the new rules, which provide criteria for determining when solid waste qualifies as inert waste. Dangerous wastes, PCBs (Polychlorinated Biphenyls), and asbestos are categorically found not to be inert waste. Otherwise, solid waste may be found to be inert waste on the basis of either knowledge or testing. Some solid waste is categorically found to be inert waste, if it meets additional more specific criteria and is not otherwise contaminated. Such solid waste includes cured concrete, asphalt materials, and brick and masonry from construction; ceramic materials; and stainless steel and aluminum. Other solid waste may also be determined to be inert waste, if it is similar to these in terms of physical characteristics that include being not flammable, resistant to degradation, and not prone to settling or becoming structurally unstable. It must also not impact soil, water, or air quality negatively or pose a health threat.

The new rules also regulate limited purpose landfills, which are landfills that are not regulated or permitted by other state or federal environmental regulations and which receive solid wastes limited by type or source, including segregated industrial solid waste; construction, demolition and land-clearing debris; wood waste; ash; and dredged material. These landfills are subject to highly detailed requirements for siting, design, operation, and closure.

Summary of Bill: Ecology is directed to develop specific criteria for the types of solid waste that inert waste landfills may receive.

At a minimum, the criteria must contain a list of substances suitable for an inert waste landfill in a county with less than 45,000 residents that was operational before February 10, 2003 and is located at a site that receives less than 25 inches of rain a year, annually, on a five-year average. Such substances must include cured concrete, masonry, and asphaltic materials; glass, regardless of its composition; brick and masonry; stainless steel; and other materials defined in the solid waste handling rules adopted in 2003, if they have not been tainted and made more dangerous than they would otherwise be to human health or the environment.

Ecology is also directed to work with the owners and operators of inert waste landfills to transition into limited purpose landfills.

Appropriation: None.

Fiscal Note: Requested for substitute on February 24, 2004.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The standards in the current rule don't fit every case, in particular that of Asotin County, whose general purpose landfill is almost at capacity and other options are limited, but whose dry climate eliminates a lot of concerns about leachates or emissions escaping from other types of landfills. The substitute resolves concerns by no longer requiring that some materials be categorized as inert that couldn't qualify and by helping landfills that must accept materials that can't qualify as inert transition into limited purpose landfills.

Testimony Against: None.

Testified: PRO: Representative Mark Schoesler, prime sponsor; Jim Potts, Asotin County; Cullen Stephenson, Department of Ecology.