

SENATE BILL REPORT

SB 5594

As of February 25, 2003

Title: An act relating to hazardous waste.

Brief Description: Addressing problems of hazardous waste facilities.

Sponsors: Senators Morton, Fraser, Regala, Hewitt and Rasmussen; by request of Department of Ecology.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/12/03.

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Staff: Sam Thompson (786-7413)

Background: Responding to closures of hazardous waste facilities that left economic liabilities for public agencies, former customers and property owners, the 2001 Legislature directed the Department of Ecology (DOE) to assess state and federal requirements concerning hazardous waste management facilities.

A September 2002 DOE study concluded that the current state and federal oversight system posed significant problems and risks, including regulatory exemptions for abandoned, closed, bankrupt waste management facilities, inadequate financial requirements, lack of regulation of recyclers and used oil processors, difficulties accessing and interpreting information concerning facilities, and lack of resources for DOE to run an adequate permitting and compliance program.

The DOE study recommended solutions, including legislation, to reduce long-term liability concerns.

Summary of Bill: DOE must, after consulting with the waste management industry, business, local government, environmental groups, and other interested parties:

- Revise, by July 1, 2004, administrative rules governing financial assurance, pollution liability, and closure plans at hazardous waste management facilities, including recyclers and used oil processors. The rules must assure that adequate funds are available to pay for safe and orderly cleanup and/or closure of facilities. Owners and operators of recycling and used oil processing facilities must, pursuant to the revised rules, have financial assurance and pollution liability insurance by December 31, 2005.
- Adopt, by July 1, 2004, an administrative rule establishing a system for authorizing recycling and used oil processing operations that are not currently subject to hazardous waste permits. In establishing the authorization system, DOE must, to the extent

practicable, minimize paperwork and administrative procedures for facility owners and operators.

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

Appropriation: None.

Fiscal Note: Available.

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