
**Select Committee on
Environmental Health**

HB 2916

Brief Description: Creating the cleanup settlement account.

Sponsors: Representatives Campbell, Eickmeyer, Lantz and Pearson; by request of Department of Ecology.

Brief Summary of Bill

- Creates the Cleanup Settlement Account (CSA) for funds to be spent to conduct remedial actions at a specific facility and to assess and address injury to natural resources caused by a hazardous substance release.

Hearing Date: 1/30/08

Staff: Ashley Pedersen (786-7303).

Background:

The primary funding source for managing wastes and dealing with toxic chemicals in the environment was established in the Model Toxics Control Act (MTCA) passed by Initiative in 1988. This Act created a tax on hazardous substances, primarily petroleum based products. The tax is distributed into two accounts: the State Toxics Control Account and the Local Toxics Control Account.

The State Toxics Control Account receives funds from: (1) the hazardous substance tax; (2) the costs of remedial actions recovered by the Department of Ecology; (3) penalties collected or recovered under the MTCA; and (4) any other money appropriated or transferred to the account by the Legislature. Monies in the account may be used only to carry out the purposes of the MTCA, including such things as hazardous and solid waste planning, management, regulation, enforcement; hazardous waste cleanup; and financial assistance for local programs.

The Local Toxics Control Account receives funds solely from the hazardous substance tax. The funds may be used for grants or loans to local governments for the purposes of such things as to

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local solid waste planning and oversight of solid waste facilities; to conduct remedial actions; and for coordinated prevention programs.

Summary of Bill:

A CSA is created for the deposit of funds to be spent to conduct remedial actions at a specific facility and to assess and address injury to natural resources caused by a hazardous substance release. The account will be established in the state treasury.

The CSA will be funded by settlements or court orders that direct payment to the CSA. Settlements or court orders may direct payment to the CSA if they resolve a person's liability or potential liability for: (1) conducting future remedial action at a specific facility; or (2) assessing or addressing the injury to natural resources caused by the release of a hazardous substance from a specific facility. Expenditures from the account may be used only to carry out those two purposes. The fund can be spent on direct expenditures as well as on indirect expenditures such as department oversight costs.

Appropriation: None.

Fiscal Note: Requested on January 17, 2008.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.