

RCW 43.21A.711 Used oil contaminated with polychlorinated biphenyl—Petition for reimbursement of extraordinary costs—Processing and prioritizing petitions—Prioritized list to the legislature. (1)

Cities and counties may submit a petition to the department for reimbursement of extraordinary costs associated with managing unforeseen consequences of used oil contaminated with polychlorinated biphenyl and compliance with United States environmental protection agency enforcement orders and enforcement-related agreements.

(2) The department, in consultation with city and county moderate risk waste coordinators, the United States environmental protection agency, and other stakeholders, must process and prioritize city and county petitions that meet the following conditions:

(a) The petitioning city or county has followed and met:

(i) The updated best management practices guidelines for the collection and management of used oil; and

(ii) The best management practices for preventing and managing polychlorinated biphenyl contamination, as required under RCW 70A.224.030; and

(b) The department has determined that:

(i) The costs to the petitioning city or county for disposal of the contaminated oil or for compliance with United States environmental protection agency enforcement orders or enforcement-related agreements are extraordinary; and

(ii) The city or county could not reasonably accommodate or anticipate the extraordinary costs in their normal budget processes by following and meeting the best management practices for oil contaminated with polychlorinated biphenyl.

(3) Before January 1st of each year, the department must develop and submit to the appropriate fiscal committees of the senate and house of representatives a prioritized list of submitted petitions that the department recommends for funding by the legislature. It is the intent of the legislature that if funded, the reimbursement of extraordinary city or county costs associated with polychlorinated biphenyl management and compliance activities come from the model toxics control operating account created in RCW 70A.305.180. [2020 c 20 § 1033; 2014 c 173 § 3.]