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HOUSE BILL 2523

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State of Washington

52nd Legislature

1992 Regular Session

By Representatives Hochstatter, Fuhrman, Chandler, Zellinsky, P. Johnson, Padden, Moyer, Ludwig, Casada, Riley, Mielke, Broback, Forner, Lisk, Sheldon, Ballard, Rayburn, Ferguson, D. Sommers, Paris, Bowman, Wood and Mitchell

Read first time 01/20/92. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to a person potentially liable for a hazardous  
2 substance release; and adding a new section to chapter 70.105D RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.105D  
5 RCW to read as follows:

6 If a potentially liable person has completely complied with the  
7 department's remedial order under RCW 70.105D.050, or with a settlement  
8 in the form of a consent decree under RCW 70.105D.040, or both, and the  
9 department has not discovered further harm from the hazardous substance  
10 release for three years from the date of final compliance, the  
11 potentially liable person may not be held further liable for harm from  
12 the release. Prior to the expiration of the three-year period, the  
13 department may request that the potentially liable person provide  
14 monitoring and investigation to determine that the site poses an

1 acceptable or no potential for harm due to the release of hazardous  
2 substances.

3 A release made by the potentially liable person at the same or  
4 another site after the expiration of the three-year period is a new  
5 violation of this chapter.