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HOUSE BILL 2662

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State of Washington

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By Representatives Holm, Foreman, G. Fisher, Dunshee, Patterson, Dorn, Lemmon, Basich, Ogden, Jones, Finkbeiner, Moak, Kremen, Springer, Roland, King, Cothorn, Morris, J. Kohl and L. Johnson; by request of Department of Revenue

Read first time 01/19/94. Referred to Committee on Revenue.

1 AN ACT Relating to hazardous waste fees; amending RCW 70.95E.020,  
2 70.95E.030, and 70.95E.050; and repealing RCW 70.95E.060.

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

4 **Sec. 1.** RCW 70.95E.020 and 1990 c 114 s 12 are each amended to  
5 read as follows:

6 A fee is imposed for the privilege of generating or potentially  
7 generating hazardous waste in the state. The annual amount of the fee  
8 shall be thirty-five dollars upon every known generator or potential  
9 generator doing business in Washington in the current calendar year or  
10 any part thereof. This fee shall be collected by the department of  
11 revenue. A potential generator shall be exempt from the fee imposed  
12 under this section if the potential generator is entitled to the  
13 exemption in RCW 82.04.300 in the current calendar year. The  
14 department shall, subject to appropriation, use the funds collected  
15 from the fees assessed in this subsection to support the activities of  
16 the office of waste reduction as specified in RCW 70.95C.030. The fee  
17 imposed pursuant to this section (~~(shall be first due on July 31, 1990,~~  
18 ~~for any generator or potential generator operating in Washington from~~  
19 ~~March 21, 1990, to December 31, 1990, or any part thereof)) is due~~

1 annually by July 1 of the year following the calendar year for which  
2 the fee is imposed, except the fee scheduled to be imposed for calendar  
3 year 1993 shall not be collected.

4 **Sec. 2.** RCW 70.95E.030 and 1990 c 114 s 13 are each amended to  
5 read as follows:

6 (~~((1))~~) Hazardous waste generators and hazardous substance users  
7 required to prepare plans under RCW 70.95C.200 shall pay an  
8 (~~additional~~) annual fee to support implementation of RCW 70.95C.200  
9 and 70.95C.040. These fees are to be used by the department, subject  
10 to appropriation, for plan review, technical assistance to facilities  
11 that are required to prepare plans, other activities related to plan  
12 development and implementation, and associated indirect costs. The  
13 total fees collected under this subsection shall not exceed the  
14 department's costs of implementing RCW 70.95C.200 and 70.95C.040 and  
15 shall not exceed one million dollars per year. The annual fee for a  
16 facility shall not exceed ten thousand dollars per year. Any facility  
17 that generates less than two thousand six hundred forty pounds of  
18 hazardous waste per waste generation site in the previous calendar year  
19 shall be exempt from the fee imposed by this section. The annual fee  
20 for a facility generating at least two thousand six hundred forty  
21 pounds but not more than four thousand pounds of hazardous waste per  
22 waste generation site in the previous calendar year shall not exceed  
23 fifty dollars. A person that develops a plan covering more than one  
24 interrelated facility as provided for in RCW 70.95C.200 shall be  
25 assessed fees only for the number of plans prepared. The department  
26 shall adopt a fee schedule by rule after consultation with typical  
27 affected businesses and other interested parties. Hazardous waste  
28 generated and recycled for beneficial use, including initial amount of  
29 hazardous substances introduced into a process and subsequently  
30 recycled for beneficial use, shall not be used in the calculations of  
31 hazardous waste generated for purposes of this section.

32 (~~((2) Fees imposed by this section shall be first due on July 1,~~  
33 ~~1991, for facilities that are required to prepare plans in 1992, on~~  
34 ~~July 1, 1992, for facilities that are required to prepare plans in~~  
35 ~~1993, and on July 1, 1993, for facilities that are required to prepare~~  
36 ~~plans in 1994.)) The annual fee imposed by this section shall be first  
37 due on July 1 of the year prior to the year that the facility is  
38 required to prepare a plan, and by July 1 of each year thereafter.~~

1       **Sec. 3.** RCW 70.95E.050 and 1990 c 114 s 15 are each amended to  
2 read as follows:

3       In administration of this chapter for the enforcement and  
4 collection of the fees due and owing under this chapter, the department  
5 of revenue is authorized to apply the provisions of chapter 82.32 RCW,  
6 except that the provisions of RCW ((82.32.050 and 82.32.090)) 82.32.045  
7 shall not apply.

8       NEW SECTION. **Sec. 4.** RCW 70.95E.060 and 1990 c 114 s 16 are each  
9 repealed.

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