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HOUSE BILL 2633

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives Rust, Horn, Valle, Heavey and J. Kohl

Read first time 01/22/92. Referred to Committee on Environmental Affairs.

1            AN ACT Relating to local hazardous waste plans; and amending RCW  
2 70.105.220.

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

4            **Sec. 1.** RCW 70.105.220 and 1986 c 210 s 1 are each amended to read  
5 as follows:

6            (1) Each local government, or combination of contiguous local  
7 governments, is directed to prepare a local hazardous waste plan which  
8 shall be based on state guidelines and include the following elements:

9            (a) A plan or program to manage moderate-risk wastes that are  
10 generated or otherwise present within the jurisdiction. This element  
11 shall include an assessment of the quantities, types, generators, and  
12 fate of moderate-risk wastes in the jurisdiction. The purpose of this  
13 element is to develop a system of managing moderate-risk waste,

1 appropriate to each local area, to ensure protection of the environment  
2 and public health;

3 (b) A plan or program to provide for ongoing public involvement and  
4 public education in regard to the management of moderate-risk waste.  
5 This element shall provide information regarding:

6 (i) The potential hazards to human health and the environment  
7 resulting from improper use and disposal of the waste; and

8 (ii) Proper methods of handling, reducing, recycling, and disposing  
9 of the waste;

10 (c) An inventory of all existing generators of hazardous waste and  
11 facilities managing hazardous waste within the jurisdiction. This  
12 inventory shall be based on data provided by the department;

13 (d) A description of the public involvement process used in  
14 developing the plan;

15 (e) A description of the eligible zones designated in accordance  
16 with RCW 70.105.225. However, the requirement to designate eligible  
17 zones shall not be considered part of the local hazardous waste  
18 planning requirements; and

19 (f) Other elements as deemed appropriate by local government.

20 (2) To the maximum extent practicable, the local hazardous waste  
21 plan shall be coordinated with other hazardous materials-related plans  
22 and policies in the jurisdiction.

23 ~~((In recognition of the role of the private sector in providing  
24 hazardous and moderate risk waste management facilities and  
25 transportation services, and in addition to other public involvement  
26 activities that may be required,))~~ Local governments shall coordinate  
27 with those persons involved in providing ~~((such))~~ privately owned  
28 hazardous and moderate-risk waste facilities and services as follows:  
29 If a local government determines that a moderate-risk waste will be or  
30 is adequately managed by one or more privately owned facilities or

1 services at a reasonable price, the local government shall take actions  
2 to encourage the use of that private facility or service. Actions  
3 taken by a local government under this subsection may include, but are  
4 not limited to, restricting or prohibiting the land disposal of a  
5 moderate-risk waste at any transfer station or land disposal facility  
6 within its jurisdiction.

7 (4)(a) The department shall prepare guidelines for the development  
8 of local hazardous waste plans. The guidelines shall be prepared in  
9 consultation with local governments and shall be completed by December  
10 31, 1986. The guidelines shall include a list of substances identified  
11 as hazardous household substances.

12 (b) In preparing the guidelines under (a) of this subsection, the  
13 department shall review and assess information on pilot projects that  
14 have been conducted for moderate-risk waste management. The department  
15 shall encourage additional pilot projects as needed to provide  
16 information to improve and update the guidelines.

17 (5) The department shall consult with retailers, trade  
18 associations, public interest groups, and appropriate units of local  
19 government to encourage the development of voluntary public education  
20 programs on the proper handling of hazardous household substances.

21 (6) Local hazardous waste plans shall be completed and submitted to  
22 the department no later than June 30, 1990. Local governments may from  
23 time to time amend the local plan.

24 (7) Each local government, or combination of contiguous local  
25 governments, shall submit its local hazardous waste plan or amendments  
26 thereto to the department. The department shall approve or disapprove  
27 local hazardous waste plans or amendments by December 31, 1990, or  
28 within ninety days of submission, whichever is later. The department  
29 shall approve a local hazardous waste plan if it determines that the  
30 plan is consistent with this chapter and the guidelines under

1 subsection (4) of this section. If approval is denied, the department  
2 shall submit its objections to the local government within ninety days  
3 of submission. However, for plans submitted between January 1, 1990,  
4 and June 30, 1990, the department shall have one hundred eighty days to  
5 submit its objections. No local government is eligible for grants  
6 under RCW 70.105.235 for implementing a local hazardous waste plan  
7 unless the plan for that jurisdiction has been approved by the  
8 department.

9 (8) Each local government, or combination of contiguous local  
10 governments, shall implement the local hazardous waste plan for its  
11 jurisdiction by December 31, 1991.

12 (9) The department may waive the specific requirements of this  
13 section for any local government if such local government demonstrates  
14 to the satisfaction of the department that the objectives of the  
15 planning requirements have been met.