

2 SHB 1743 - S AMD - 000298

3 By Senators Franklin, Talmadge, Fraser, Prentice and Pelz

4 RULED BEYOND SCOPE AND OBJECT 3/3/94

5 On page 2, line 16, after "department" insert the following:

6 NEW SECTION. **Sec. 2.** Unless the context clearly requires
7 otherwise, the definitions in this section apply throughout sections 3
8 through 4 of this act.

9 (1) "Environmental facility" means a facility that has:

10 (a) Reported under the toxic release inventory (section 313) of the
11 federal emergency planning and community right-to-know act (P.L. 99-
12 499, Title III); or

13 (b) Been placed on the hazardous sites list, as maintained by the
14 department of ecology, pursuant to RCW 70.105D.030; or

15 (c) Interim status or a final permit from either the department of
16 ecology or the environmental protection agency as a treatment, storage,
17 or disposal facility.

18 (2) "Low-income community" means any census tract or subdivision
19 thereof in which thirty percent or more of the population lives below
20 the federal poverty level.

21 (3) "Minority community" means any census tract or subdivision
22 thereof that includes twenty-five percent or more of any racial or
23 ethnic group.

24 (4) "Toxic chemicals" means any substance reported under the toxic
25 release inventory (section 313) of the federal emergency planning and
26 community right-to-know act (P.L. 99-499, Title III) on the effective
27 date of this section.

28 (5) "Tract" means any census tract or block numbering area
29 identified and designated in the state by the United States census
30 bureau in the latest census available.

31 NEW SECTION. **Sec. 3.** By June 30, 1995, the department of ecology
32 and the department of health shall jointly prepare a report to the
33 legislature providing information on the distribution of reported toxic
34 chemical releases and environmental facilities in relation to minority
35 and low-income census tracts. The report shall include the following
36 elements:

1 (1) A breakdown of the population by race and ethnicity, and the
2 percentage of persons below the federal poverty level for each census
3 tract;

4 (2) A survey indicating the location and types of permitted
5 environmental facilities located within each census tract in the state;

6 (3) A list of tracts ranked in order of the amount of toxic
7 chemicals released during the most recent five years based on
8 information reported in the toxic release inventory required under the
9 federal emergency planning and community right-to-know act. For the
10 purposes of this study, the fifty tracts with the highest total toxic
11 releases shall be referred to as "environmental high impact areas"; and

12 (4) Recommendations on further studies and/or actions that could be
13 taken by the legislature or the departments of ecology and health to
14 address environmental equity concerns.

15 NEW SECTION. **Sec. 4.** The study authorized under section 3 of this
16 act shall not apply to toxic substances releases or environmental
17 facilities associated with agricultural operations, including those
18 that use, store, or dispose of pesticides or herbicides."

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21 On page 1, Line 1, after "prevention;" strike the remainder of the
22 title and insert " adding a new section to chapter 70.95C RCW, and
23 creating new sections."

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