

HOUSE BILL REPORT

HB 1814

As Reported By House Committee On:
Environmental Affairs

Title: An act relating to hazardous waste disposal facilities.

Brief Description: Requiring additional financial responsibility for hazardous waste disposal facilities that incinerate hazardous wastes or substances.

Sponsors: Representatives Hansen, Chandler, Rust and Bray.

Brief History:

Reported by House Committee on:
Environmental Affairs, February 25, 1993, DPS.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Rust, Chair; Flemming, Vice Chair; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; L. Johnson; J. Kohl; Linville; and Sheahan.

Minority Report: Without recommendation. Signed by 1 member: Representative Horn, Ranking Minority Member;

Staff: Harry Reinert (786-7110).

Background: The Environmental Protection Agency's rules implementing the Resource Conservation and Recovery Act require hazardous waste disposal facility operators to maintain financial responsibility. An operator of an incinerator facility must maintain financial responsibility of at least \$1 million per occurrence and \$2 million annual aggregate for damages resulting from an accidental release. The financial responsibility may be in the form of insurance, a bond, or self-insurance under appropriate circumstances. These financial responsibility requirements are implemented by the Department of Ecology on the facilities for which it is responsible.

Summary of Substitute Bill: The operator of an hazardous waste incinerator with a permitted handling capacity of 5,000 tons or more annually shall maintain financial

responsibility of at least \$25 million to compensate for personal injury or damages to property resulting from discharges or emissions from the facility.

Substitute Bill Compared to Original Bill: The original bill required all hazardous waste incinerators to maintain the increased level of financial responsibility. The substitute only requires incinerators with an annual capacity of 5,000 or more tons to maintain this higher level of responsibility.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: One million dollars is not adequate to cover the damage that might occur from an accident at a hazardous waste incinerator.

Testimony Against: The operator of a hazardous waste incinerator must not only meet financial responsibility requirements, but must also have plans in place to respond to accidental releases. These measures are adequate to assure safety.

Witnesses: Jim Boldt, Rabanco (con); Jeff Myers, EPIC (con); Harold Clinesmith, Citizens Hazardous Waste Coalition (pro); Bob Schrom, Farmer, Grant County (pro); Rich Callahan, Farmer/Exporter (pro); Bob Davis, Concerned Citizens of Royal Slope (pro); Norm Myrick, Citizen (pro); Margie Kelly, Greenpeace (pro); Betty Tabbutt, Washington Environmental Council (pro); Doris Cellarius, Sierra Club (pro); and Larry Ganders, Washington State University (con).