

1 1866-S2.E AMS KLIN WILB 011

2 **E2SHB 1866** - S AMD TO S AMD (S-3041.1/97) - 385

3 By Senator Kline

4 NOT ADOPTED 4/18/97

5 On page 9, beginning on line 36, delete all material through "this
6 act." on page 11, line 8, and insert the following:

7 "NEW SECTION. **Sec. 10.** (1) A by the directors of state, regional,
8 or local agencies to approve, modify, or terminate a proposed
9 environmental excellence program agreement or determine that a
10 particular facility is eligible to operate under an approved
11 programmatic environmental excellence agreement is subject to review by
12 the pollution control hearings board pursuant to chapter 43.21B RCW.
13 In any such review the burden of proof to show that all elements of
14 this act have been satisfied shall be on the sponsor.

15 (2) A decision by the directors of state, regional, or local
16 agencies not to enter into an environmental excellence program
17 agreement is within the sole discretion of such directors and is not
18 subject to review."

19 Renumber the sections consecutively and correct any internal
20 references accordingly.

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EFFECT: Deletes provisions of the bill regarding judicial review and requires that all decisions to approve, modify or terminate an agreement are to be heard before the pollution control hearings board.