

# FINAL BILL REPORT

## SHB 2960

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Synopsis as Enacted

**Brief Description:** Authorizing permits-by-rule for certain solid waste recycling facilities.

**Sponsors:** By House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Mastin and Linville).

**House Committee on Agriculture & Ecology**  
**Senate Committee on Agriculture & Environment**

**Background:** After the Department of Ecology has approved a county and city comprehensive solid waste management plan, no solid waste disposal site or disposal facilities may be maintained, established, substantially altered, expanded, or improved until the site operator obtains a permit from the appropriate local health department. The local health department investigates every application for a permit to determine whether all applicable laws and regulations are met, whether the application conforms with the approved comprehensive solid waste handling plan, and whether the application complies with all zoning requirements. Permits must be renewed annually. Before renewing a permit, the health department must conduct whatever inspections it deems necessary to ensure that applicable standards and regulations are being met. There are no simplified procedures for granting permits for facilities that are relatively low risk to the public and the environment. As part of a comprehensive review of the state's solid waste laws in 1997, the Department of Ecology made some initial recommendations about developing a permit-by-rule process.

The applicant or holder of a permit may request a hearing before the local health officer if a solid waste permit is denied or suspended. The hearing must be granted within thirty days of the request for the hearing. The health officer must notify the applicant or holder of the permit of the health officer's decision within 30 days of the hearing. The health officer's determination may be appealed to the Pollution Control Hearings Board (PCHB). There is no requirement for the denial or suspension to be delayed until the appeal process before the PCHB is completed.

**Summary:** The Department of Ecology is directed to refine its recommendations contained in its 1997 review of the state's solid waste system in conjunction with the state Solid Waste Advisory Committee, and address: the applicability of a permit-by-rule process for solid waste recycling facilities; the consistency of permitting for regional, multi-jurisdictional recycling facilities; the application of best available control technology on a consistent basis, so that similar facilities are subject to the

same requirements; and methods of integrating facility standards with the recommendations of the study. The department must submit a report containing its refined recommendations to the appropriate legislative committees by December 1, 1998.

If the local health department denies a permit renewal or suspends a permit for an operating waste recycling facility that receives waste from more than one city or county, and the permit applicant or holder requests an appeal, the denial or suspension of the permit does not become effective until the completion of the appeal process with the Pollution Control Hearings Board, unless the local health department finds that continued operation of the facility poses a very probable threat to human health and the environment.

**Votes on Final Passage:**

House 97 1

Senate 49 0 (Senate amended)

House 95 0 (House concurred)

**Effective:** June 11, 1998