

# ***ANALYSIS OF HB 2960***

---

---

***House Agriculture & Ecology Committee***

***February 4, 1998***

---

---

**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, to determine whether the application conforms with the approved comprehensive solid waste handling plan, and if 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 which are relatively low risk to the public and the environment.

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 thirty days of the hearing. The health officer's determination may be appealed to the Pollution Control Hearings Board. There is no requirement for the denial or suspension to be delayed until the appeal process is completed.

**SUMMARY:**

The Department of Ecology is directed to establish standards for permits-by-rule for solid waste handling facilities that provide a relatively low risk to human health and the environment, and that meet the management priority of waste recycling.

An owner or operator of a facility may notify the appropriate local health department to obtain written approval for a permit-by-rule. The local health department enforces permits-by-rule, and the facility is subject to inspection by local authorities. The local health department may revoke the permit-by-rule if the conditions are not met. The review and appeal provisions applicable to permits also apply to permits-by-rule. The owner or operator of the facility is subject to the requirements for permits if a permit-by-rule is not issued or revoked.

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, unless the local health department finds that continued operation of the facility poses an imminent threat to human health and the

---

*Prepared for the House Agriculture & Ecology Committee  
by Bill Lynch, (786-7092)  
Office of Program Research*

environment.

**-2-**