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**SUBSTITUTE SENATE BILL 5606**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Agriculture & Environment (originally sponsored by Senators Rasmussen and Swecker)

Read first time 03/05/97.

1 AN ACT Relating to standards for location of certain solid waste  
2 landfills; amending RCW 70.95.060; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.95.060 and 1969 ex.s. c 134 s 6 are each amended to  
5 read as follows:

6 (1) The department in accordance with procedures prescribed by the  
7 Administrative Procedure Act, chapter 34.05 RCW, as now or hereafter  
8 amended, ((may)) shall adopt such minimum functional standards for  
9 solid waste handling as it deems appropriate, consistent with the  
10 standards specified in this section. The department in adopting such  
11 standards may classify areas of the state with respect to population  
12 density, climate, geology, and other relevant factors bearing on solid  
13 waste disposal standards.

14 (2) In addition to meeting the minimum functional standards adopted  
15 by the department under subsection (1) of this section, a landfill  
16 facility whose area at its design capacity will exceed one hundred  
17 acres and whose vertical height at design capacity will average one  
18 hundred feet or more above existing site elevations may not be located  
19 over a sole source aquifer designated under the federal safe drinking

1 water act, if such designation was effective before January 1, 1997.  
2 This subsection applies only to landfills for which construction has  
3 not been commenced before the effective date of this section.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of the  
6 state government and its existing public institutions, and takes effect  
7 immediately.

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