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SENATE BILL 5761

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State of Washington

55th Legislature

1997 Regular Session

By Senators Swecker, Hale, Loveland, Finkbeiner, Fraser, Deccio, Jacobsen, Anderson and Winsley

Read first time 02/11/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to certification of environmental technologies; and  
2 adding new sections to chapter 43.21A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21A RCW  
5 to read as follows:

6 (1) The legislature finds that:

7 (a) New and innovative environmental technologies can help improve  
8 environmental quality at lower costs;

9 (b) Current regulatory processes often include permits or approvals  
10 that require applicants to duplicate costly technical analysis;

11 (c) The commercialization of innovative environmental technologies  
12 can be discouraged due to the costs of repeated environmental analysis;

13 (d) The regulatory process can be improved by sharing and relying  
14 on information generated through demonstration projects and technical  
15 certification programs; and

16 (e) Other states have developed programs to certify environmental  
17 technologies in order to streamline the permitting process and to  
18 encourage use of environmental technologies.

19 (2) The legislature therefore declares that the department shall:

1 (a) Review existing environmental technology certification programs  
2 and enter into agreements to use the information from these programs if  
3 the department finds that this information will improve the efficiency  
4 and effectiveness of the state's environmental regulatory process; and  
5 (b) Participate in technology demonstration activities that support  
6 the state's needs for environmental technology.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW  
8 to read as follows:

9 (1) At the request of a project proponent, the department shall use  
10 information developed through a certification program when making  
11 permit or other regulatory decisions. A local government-delegated  
12 regulatory authority by the department may use information developed  
13 through a certification program when making permit or other regulatory  
14 decisions.

15 (2) The department may develop a certification program for  
16 technologies not covered under an existing certification program under  
17 the following conditions:

18 (a) All start-up costs are paid with federal or private dollars.  
19 For the purposes of this subsection, "start-up costs" include, but are  
20 not limited to, all capital, labor, equipment, training, and  
21 administrative costs necessary to begin certifying a technology;

22 (b) A reasonable fee is charged to recover the operational costs of  
23 certifying a technology.

24 (3) Subsection (1) of this section applies to permit and other  
25 regulatory decisions made under the following: Chapters 70.94, 70.95,  
26 70.105, 70.105D, 70.120, 70.138, 90.48, 90.54, and 90.56 RCW.

27 (4) For the purposes of this section, "certification program" means  
28 a program, approved by the department, to certify the quantitative  
29 performance of an environmental technology over a range of parameters  
30 and conditions.

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