

2 **SHB 2670** - S COMM AMD (S5019.2 AMD BY #234)  
3 By Committee on Environmental Quality & Water Resources

4 ADOPTED AS AMENDED 3/3/00

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 70.95.215 and 1985 c 436 s 1 are each amended to read  
8 as follows:

9 (1) By July 1, 1987, each holder or applicant of a permit for a  
10 landfill disposal facility issued under this chapter shall establish a  
11 reserve account to cover the costs of closing the facility in  
12 accordance with state and federal regulations. The account shall be  
13 designed to ensure that there will be adequate revenue available by the  
14 projected date of closure. A landfill disposal ((facilities)) facility  
15 maintained on private property for the sole use of the entity owning  
16 the site and a landfill disposal facility operated and maintained by a  
17 government shall not be required to establish a reserve account if, to  
18 the satisfaction of the department, ((they)) the entity or government  
19 provides another form of financial assurance adequate to comply with  
20 the requirements of this section.

21 (2) By July 1, 1986, the department shall adopt rules under chapter  
22 34.05 RCW to implement subsection (1) of this section. The department  
23 is not required to adopt rules pertaining to other approved forms of  
24 financial assurance to cover the costs of closing a landfill disposal  
25 facility. The rules shall include but not be limited to:

26 (a) Methods to estimate closure costs, including postclosure  
27 monitoring, pollution prevention measures, and any other procedures  
28 required under state and federal regulations;

29 (b) Methods to ensure that reserve accounts receive adequate funds,  
30 including:

31 (i) Requirements that the reserve account be generated by user  
32 fees. However, the department may waive this requirement for existing  
33 landfills if user fees would be prohibitively high;

34 (ii) Requirements that moneys be placed in the reserve account on  
35 a regular basis and that the reserve account be kept separate from all  
36 other accounts; and

1 (iii) Procedures for the department to verify that adequate sums  
2 are deposited in the reserve account; and

3 (c) Methods to ensure that other types of financial assurance  
4 provided in accordance with subsection (1) of this section are adequate  
5 to cover the costs of closing the facility.

6 NEW SECTION. **Sec. 2.** (1) The state solid waste advisory committee  
7 shall direct a study by the department of ecology on the adequacy of  
8 financing to assure landfill closure. The study shall include, but is  
9 not limited to:

10 (a) A clear description of the financial assurance mechanisms  
11 authorized by law;

12 (b) A summary of current financial assurances for landfill closure  
13 currently in place for all landfills in the state. The department  
14 shall compile this information from existing sources such as capital  
15 facilities plans authorized under the growth management act, local  
16 government solid waste management plans and budgets, and financial  
17 audits by the state auditor. The summary shall include, but shall not  
18 be limited to:

19 (i) The estimated cost to close the landfill facility and the years  
20 to closure;

21 (ii) The financial mechanisms approved by the jurisdictional health  
22 department or the department to assure landfill closure; and

23 (iii) The status of financial mechanisms, including account  
24 balance, loans against, or encumbrances on the financial mechanisms;  
25 and

26 (c) The effect of various financial assurance mechanisms on  
27 consumers' rates.

28 (2) The report shall include recommendations for modifying  
29 requirements for financing mechanisms to assure landfill closure and  
30 maintaining and reporting information on the status of financial  
31 assurances. The solid waste advisory committee shall provide the  
32 report to the legislature by December 15, 2000."

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2 By Committee on Environmental Quality & Water Resources

3 ADOPTED 3/3/00

4 On page 1, line 2 of the title, after "facilities;" strike the  
5 remainder of the title and insert "amending RCW 70.95.215; and creating  
6 a new section."

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