
SUBSTITUTE HOUSE BILL 2670

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Delvin, Linville, G. Chandler and Hankins)

Read first time 02/01/2000. Referred to Committee on .

1 AN ACT Relating to financial assurance requirements for landfill
2 disposal facilities; and amending RCW 70.95.215.

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

4 **Sec. 1.** RCW 70.95.215 and 1985 c 436 s 1 are each amended to read
5 as follows:

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

18 (2) By July 1, 1986, the department shall adopt rules under chapter
19 34.05 RCW to implement subsection (1) of this section. The department

1 is not required to adopt rules pertaining to other approved forms of
2 financial assurance to cover the costs of closing a landfill disposal
3 facility. The rules shall include but not be limited to:

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

7 (b) Methods to ensure that reserve accounts receive adequate funds,
8 including:

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

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

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

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

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