

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2670**

56th Legislature  
2000 Regular Session

Passed by the House March 7, 2000  
Yeas 98 Nays 0

\_\_\_\_\_  
**Speaker of the House of Representatives**

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate March 3, 2000  
Yeas 47 Nays 0

\_\_\_\_\_  
**President of the Senate**

Approved

\_\_\_\_\_  
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2670** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

---

**SUBSTITUTE HOUSE BILL 2670**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2000 Regular Session

**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; amending RCW 70.95.215; and creating a new  
3 section.

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

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

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

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

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

9 (b) Methods to ensure that reserve accounts receive adequate funds,  
10 including:

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

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

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

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

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

26 (a) A clear description of the financial assurance mechanisms  
27 authorized by law;

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

35 (i) The estimated cost to close the landfill facility and the years  
36 to closure;

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

1 (iii) The status of financial mechanisms, including account  
2 balance, loans against, or encumbrances on the financial mechanisms;  
3 and

4 (c) The effect of various financial assurance mechanisms on  
5 consumers' rates.

6 (2) The report shall include recommendations for modifying  
7 requirements for financing mechanisms to assure landfill closure and  
8 maintaining and reporting information on the status of financial  
9 assurances. The solid waste advisory committee shall provide the  
10 report to the legislature by December 15, 2000.

--- END ---