

2670-S

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

Brief Description: Authorizing the department of ecology to waive the requirement for a reserve account for landfills.

HB 2670-S - DIGEST

(DIGEST AS ENACTED)

Declares that a landfill disposal facility maintained on private property for the sole use of the entity owning the site and a landfill disposal facility operated and maintained by a government shall not be required to establish a reserve account if, to the satisfaction of the department, the entity or government provides another form of financial assurance adequate to comply with the requirements of RCW 70.95.215.

Declares that the department is not required to adopt rules pertaining to other approved forms of financial assurance to cover the costs of closing a landfill disposal facility.

VETO MESSAGE ON HB 2670-S

March 24, 2000

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 2, Substitute House Bill No. 2670 entitled:

"AN ACT Relating to financial assurance requirements for landfill disposal facilities;"

This bill provides government with needed flexibility in allowing alternative forms of financial assurance that landfill closure requirements can be met. Section 2 of the bill would have required the Solid Waste Advisory Committee (SWAC) to direct a study by the Department of Ecology (DOE) on the adequacy of financing to ensure landfill closure, and to report its findings to the Legislature by December 15, 2000.

Having the necessary financial resources secured for post-closure landfill costs is essential for adequate public health and environmental protection and to ensure the general public is not required to pay cleanup or closure costs. However, the bill raises a concern by having SWAC direct DOE in the study. SWAC includes several members with a financial stake in the outcome of the study. To avoid any appearance of fairness issues, yet make certain that this important analysis is completed, I have vetoed section 2 and direct DOE to complete the study in consultation with the Utilities and Transportation Commission and SWAC. DOE will inform the relevant standing committees of the Legislature of its progress, shall address all the issues outlined in SHB 2670, and shall submit a report to the Legislature by December 15, 2000.

For these reasons, I have vetoed section 2 of Substitute House

Bill No. 2670.

With the exception of section 2, Substitute House Bill No. 2670 is approved.

Respectfully submitted,
Gary Locke
Governor