

SENATE BILL REPORT

SB 6040

As of February 15, 2001

Title: An act relating to modifying landfill facility operations to receive waste from out-of-area sources.

Brief Description: Modifying landfill facility operations to receive waste from out-of-area sources.

Sponsors: Senator Rasmussen.

Brief History:

Committee Activity: Environment, Energy & Water: 2/16/01.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Staff: Jim Metropulos (786-7784)

Background: Under current law, a landfill must obtain a permit to operate from the local health jurisdiction, which is renewable annually or on a longer renewal cycle. The Department of Ecology reviews the permit action and may appeal it to the Pollution Control Hearings Board.

In 1993, legislation was enacted that addresses out of state imports of waste into Washington. It requires the reporting of the types and quantities of waste and a review of programs in the generator states on subjects such as recycling, dangerous waste diversion, and waste reduction. The Department of Ecology tracks and analyzes data on the waste imports; it does not directly regulate the imported waste.

While the Department of Ecology's database tracks waste movements within the state, as well as state imports and exports, it has no permitting standards that directly address whether the waste coming to a landfill from out of the area— is subject to equivalent standards as waste generated in the area of the landfill.

Some communities with large landfill facilities are concerned that waste coming from other counties are not subject to the same standards as waste generated within the county. These communities would like to ensure that their efforts to reduce their waste stream, extend the life of the landfill, and to keep their landfill free of hazardous wastes, in order to protect the air and water resources around the landfill, are not undermined by waste imports from other parts of the state.

Summary of Bill: This bill is limited to landfills west of the Cascade Crest.

If the owner or operator of a landfill proposes to increase the amount of out-of-county waste going to a landfill by 10,000 tons over the previous year, such increase must be considered

a modification of facility operations. The landfill must notify the local health department and apply for a permit to modify its operations.

The application must include information on the type and quantity of the waste to be disposed. The applicant must obtain information from the local health department, where the waste was generated, regarding the generators' and transporters' compliance with the local landfill's standards set forth in the comprehensive solid waste management program.

The local health department must forward the application to the Department of Ecology within five days. The local health department must obtain the concurrence of the department before issuing the permit.

The Department of Ecology must review the application to ensure that: the proposed facility's operations conform with all applicable laws and regulations; the handling of waste generated and transported to the landfill conform to the local comprehensive solid waste management plans for the areas where the waste is generated; and the standards for waste separation and recycling services, diversion of dangerous waste, and waste reduction for where the waste is generated are equivalent to the standards regulating waste generated where the landfill is located.

The Department of Ecology must inform the local health department of its decision within 45 days of receipt of the completed application. The Department of Ecology may attach conditions to its concurrence. The local health department cannot issue a permit without a concurrence from the Department of Ecology.

Appropriation: None.

Fiscal Note: Requested on February 15, 2001.

Effective Date: Ninety days after adjournment of session in which bill is passed.