

**Fisheries, Ecology & Parks
Committee**

HB 2308

Brief Description: Requiring the department of ecology to develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills.

Sponsors: Representatives Schoesler and Cox.

Brief Summary of Bill

- Requires the Department of Ecology to develop criteria for inert waste landfills that allows specific materials to be disposed of in an inert waste landfill that was operational prior to February 10, 2003, and is located in a county with less than 45,000 residents and at a site that receives less than 25 inches of annual rainfall.

Hearing Date: 2/3/04

Staff: Jason Callahan (786-7117).

Background:

The Department of Ecology is required to adopt administrative rules that establishes the minimum functional standards for landfills [RCW 70.95.060(1)]. The original rules for landfills were adopted by Ecology in 1985. On February 10, 2003, substantial revisions to the rules took effect. New landfills are required to abide by the rules immediately, while existing landfills must satisfy the new requirements over a phased transition period [WAC 173-350-030].

Among the changes in the new landfill rules are the criteria for limited purpose landfills that only accept inert waste. The new rules affect both the functional standards for inert waste landfills [WAC 173-350-140] and the criteria for what can be accepted into an inert waste landfill [WAC 173-350-990]. A waste material can be accepted into an inert waste landfill only if it satisfies a number of criteria. These include being inflammable, being resistant to biological and chemical degradation, and not being capable of producing a leachate or emission that has a potential negative impact on the environment [WAC 173-350-990(3)].

Regardless of the outcome of the tests for inert status, the new rules categorically include a number of waste types into the inert waste category. These are certain cured concretes, certain asphaltic materials, brick and masonry that was used for construction purposes, ceramic materials produced from clay or porcelain, certain glasses, and stainless steel and aluminum [WAC 173-350-990(2)].

Summary of Bill:

Standards for inert waste landfills must be developed to contain, at a minimum, a list of substances that an inert waste landfill may accept if the landfill satisfies certain criteria. Landfills that must be allowed to accept the list of substances are any inert waste landfills that were operational prior to February 10, 2003 and are located in a county with less than 45,000 residents and at a site that receives less than 25 inches of rain annually, based on a five-year average.

The additional wastes that qualifying inert waste landfills must be allowed to accept, but are not specifically included under the new landfill standards rules, include:

- Cured concrete, masonry, and asphaltic materials, *regardless of its prior use*;
- Glass, *regardless of its composition*;
- Dried wood waste;
- Roofing material;
- Plastics;
- Masonite products:

Ecology can prohibit these materials from being disposed of in a qualifying landfill if the materials have been made more dangerous than the inherent material to human health or the environment through exposure to chemical, physical, biological, or radiological substances.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.