

# SENATE BILL REPORT

## SB 5350

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As of February 11, 2011

**Title:** An act relating to the unlawful dumping of solid waste.

**Brief Description:** Concerning the unlawful dumping or depositing of solid waste.

**Sponsors:** Senators Honeyford, Morton, Swecker, Delvin and Schoesler.

**Brief History:**

**Committee Activity:** Environment, Water & Energy: 2/09/11.

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### SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

**Staff:** Jan Odano (786-7486)

**Background:** There is a comprehensive statewide program for handling, recovering, and recycling solid waste to prevent pollution and conserve the resources of the state. Each county must prepare a coordinated, comprehensive solid waste management plan and adopt regulations or ordinances to implement the plan. The regulations must address storage, collection, transportation, and treatment, and are not limited to issuance of permits and the establishment of basic level and type of services for solid waste handling.

The Department of Ecology reviews and approves locally issued permits and solid waste management plans, and defines minimum functional standards for all types of solid waste facilities. The sites and facilities must meet certain criteria to protect the environment and human health. The local jurisdiction permits solid waste disposal sites and facilities.

Local governments have the primary responsibility to manage solid waste. Local health departments enforce environmental regulations through issuing permits for solid waste handling facilities and by regulating the operations of these facilities. They also enforce ordinances governing illegal dumping. It is illegal to dump or allow solid waste to be dumped anywhere except at a permitted solid waste site or facility. However, a person may dump his or her own solid waste onto his or her property so long as it is not in violation of any statutes or does not create a nuisance.

**Summary of Bill:** The provision that it is illegal to dump solid waste anywhere but at a permitted solid waste facility does not apply to a property owner where solid waste is dumped without a written agreement between the property owner and the person who dumps

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the waste. However, it remains illegal for a person to dump waste on another person's property without written authorization.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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