
HOUSE BILL 2745

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Fey, Fitzgibbon, Ortiz-Self, Pollet, Gregerson, and Freeman

Read first time 01/30/14. Referred to Committee on Environment.

1 AN ACT Relating to used oil recycling; amending RCW 70.95I.020 and
2 70.95I.030; and adding a new section to chapter 70.95I RCW.

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

4 **Sec. 1.** RCW 70.95I.020 and 1991 c 319 s 303 are each amended to
5 read as follows:

6 (1) Each local government and its local hazardous waste plan under
7 RCW 70.105.220 is required to include a used oil recycling element.
8 This element shall include:

9 (a) A plan to reach the local goals for household used oil
10 recycling established by the local government and the department under
11 RCW 70.95I.030. The plan shall, to the maximum extent possible,
12 incorporate voluntary agreements with the private sector and state
13 agencies to provide sites for the collection of used oil. Where
14 provided, the plan shall also incorporate residential collection of
15 used oil;

16 (b) A plan for enforcing the sign and container ordinances required
17 by RCW 70.95I.040;

18 (c) A plan for public education on used oil recycling; (~~and~~)

1 (d) A plan for addressing best management practices as provided for
2 under RCW 70.95I.030; and

3 (e) An estimate of funding needed to implement the requirements of
4 this chapter. This estimate shall include a budget reserve for
5 disposal of contaminated oil detected at any public used oil collection
6 site administered by the local government.

7 (2) By July 1, 1993, each local government or combination of
8 contiguous local governments shall submit its used oil recycling
9 element to the department. The department shall approve or disapprove
10 the used oil recycling element by January 1, 1994, or within ninety
11 days of submission, whichever is later. The department shall approve
12 or disapprove the used oil recycling element if it determines that the
13 element is consistent with this chapter and the guidelines developed by
14 the department under RCW 70.95I.030.

15 (3) Each local government, or combination of contiguous local
16 governments, shall submit an annual statement to the department
17 describing the number of used oil collection sites and the quantity of
18 household used oil recycled for the jurisdiction during the previous
19 calendar year. The first statement shall be due April 1, 1994.
20 Subsequent statements shall be due April 1st of each year.

21 (4) Nothing in this section shall be construed to require a city or
22 county to construct or operate a public used oil collection site.

23 **Sec. 2.** RCW 70.95I.030 and 1991 c 319 s 304 are each amended to
24 read as follows:

25 (1) By July 1, 1992, the department shall, in consultation with
26 local governments, prepare guidelines for the used oil recycling
27 elements required by RCW 70.95I.020 and best management practices for
28 preventing and managing polychlorinated biphenyl contamination at
29 public used oil collection sites.

30 (a) The guidelines shall:

31 (~~(a)~~) (i) Require development of local collection and rerefining
32 goals for household used oil for each entity preparing a used oil
33 recycling element under RCW 70.95I.020;

34 (~~(b)~~) (ii) Require local government to recommend the number of
35 used oil collection sites needed to meet the local goals. The
36 department shall establish criteria regarding minimum levels of used
37 oil collection sites;

1 (~~(e)~~) (iii) Require local government to identify locations
2 suitable as public used oil collection sites as described under RCW
3 70.95I.020(1)(a).

4 (b) The best management practices for preventing and managing
5 polychlorinated biphenyl contamination at public used oil collection
6 sites must include:

7 (i) Tank testing requirements;

8 (ii) Contaminated tank labeling and security measures;

9 (iii) Contaminated tank cleanup standards;

10 (iv) Proper contaminated used oil disposal as required under
11 chapter 70.105 RCW and 40 C.F.R. Part 761;

12 (v) Spill control measures; and

13 (vi) Model contract language for contracts with used oil collection
14 vendors.

15 (2) The department may waive all or part of the specific
16 requirements of RCW 70.95I.020 if a local government demonstrates to
17 the satisfaction of the department that the objectives of this chapter
18 have been met.

19 (3) The department may prepare and implement a used oil recycling
20 plan for any local government failing to complete the used oil
21 recycling element of the plan.

22 (4) The department shall develop statewide collection and
23 rerefining goals for household used oil for each calendar year
24 beginning with calendar year 1994. Goals shall be based on the
25 estimated statewide collection and rerefining rate for calendar year
26 1993, and shall increase each year until calendar year 1996, when the
27 rate shall be eighty percent.

28 (5) By July 1, 1993, the department shall prepare guidelines
29 establishing statewide equipment and operating standards for public
30 used oil collection sites. Standards shall:

31 (a) Allow the use of used oil collection igloos and other types of
32 portable used oil collection tanks;

33 (b) Prohibit the disposal of nonhousehold-generated used oil;

34 (c) Limit the amount of used oil deposited to five gallons per
35 household per day;

36 (d) Ensure adequate protection against leaks and spills; and

37 (e) Include other requirements deemed appropriate by the
38 department.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95I RCW
2 to read as follows:

3 (1) The department shall provide grants to local governments to
4 provide assistance with: (a) Achieving best management practices as
5 provided under RCW 70.95I.030; (b) meeting federal requirements for
6 polychlorinated biphenyl contamination of oil under 40 C.F.R. Part 761,
7 including compliance with enforcement orders and enforcement-related
8 agreements; or (c) follow-up testing and monitoring of recycled oil as
9 a result of the United States environmental protection agency
10 compliance requirements.

11 (2) Local governments that have not demonstrated application of
12 best management practices as provided for under RCW 70.95I.030 to the
13 satisfaction of the department are not eligible for grants under this
14 section.

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