
SECOND ENGROSSED SUBSTITUTE SENATE BILL 7010

State of Washington

69th Legislature

2025 Regular Session

By Senate Housing (originally sponsored by Senators Bateman and Boehnke)

1 AN ACT Relating to New Title for an Second Engrossed Bill Testing
2 more Bills; and amending RCW 82.34.020, 82.34.030, 82.34.040, and
3 82.34.050.

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

5 **Sec. 1.** RCW 82.34.020 and 1981 2nd ex.s. c 9 s 2 are each
6 amended to read as follows:

7 An Second Engrossed Sub Version Sub Bill application for a
8 certificate shall be filed with the department not later than
9 November 30, 1981, and in such manner and in such form as may be
10 prescribed by the department. The application shall contain
11 estimated or actual costs, plans and specifications of the facility
12 including all materials incorporated or to be incorporated therein
13 and a list describing, and showing the cost, of all equipment
14 acquired or to be acquired by the applicant for the purpose of
15 pollution control, together with the operating procedure for the
16 facility, or a time schedule for the acquisition and installation or
17 attachment of the facility and the proposed operating procedure for
18 such facility.

19 **Sec. 2.** RCW 82.34.030 and 2020 c 20 s 1486 are each amended to
20 read as follows:

1 A certificate shall be issued by the department within thirty
2 days after approval of the application by the appropriate control
3 agency. Such approval shall be given when it is determined that the
4 facility is designed and is operated or is intended to be operated
5 primarily for the control, capture and removal of pollutants from the
6 air or for the control and reduction of water pollution and that the
7 facility is suitable, reasonably adequate, and meets the intent and
8 purposes of chapter 70A.15 RCW or chapter 90.48 RCW, as the case may
9 be, and it shall notify the department of its findings within thirty
10 days of the date on which the application was submitted to it for
11 approval. In making such determination, the appropriate control
12 agency shall afford to the applicant an opportunity for a hearing:
13 PROVIDED, That if the local or regional air pollution control agency
14 fails to act or if the applicant feels aggrieved by the action of the
15 local or regional air pollution control agency, such applicant may
16 appeal to the state air pollution control board pursuant to rules and
17 regulations established by that board.

18 **Sec. 3.** RCW 82.34.040 and 1989 c 175 s 177 are each amended to
19 read as follows:

20 The department may adopt such rules as it deems necessary for the
21 administration of this chapter subject to the provisions of RCW
22 34.05.310 through 34.05.395. Such rules shall not abridge the
23 authority of the appropriate control agency as provided in this
24 chapter or any other law.

25 **Sec. 4.** RCW 82.34.050 and 2000 c 103 s 12 are each amended to
26 read as follows:

27 (1) The original acquisition of a facility by the holder of a
28 certificate shall be exempt from sales tax imposed by chapter 82.08
29 RCW and use tax imposed by chapter 82.12 RCW when the due date for
30 payment of such taxes is subsequent to the effective date of the
31 certificate: PROVIDED, That the exemption of this section shall not
32 apply to servicing, maintenance, repairs, and replacement of parts
33 after a facility is complete and placed in operation. Sales and use
34 taxes paid by a holder of a certificate with respect to expenditures
35 incurred for acquisition of a facility prior to the issuance of a
36 certificate covering such facility may be claimed as a tax credit as
37 provided in subsection (2) of this section.

1 (2) Subsequent to July 30, 1967 the holder of the certificate
2 may, in lieu of accepting the tax exemption provided for in this
3 section, elect to take a tax credit in the total amount of the
4 exemption for the facility covered by such certificate against any
5 future taxes to be paid pursuant to chapters 82.04, 82.12 and 82.16
6 RCW.

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