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**Agriculture & Ecology  
Committee**

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**HB 2844**

**Brief Description:** Concerning environmental excellence program agreements.

**Sponsors:** Representatives Linville, Schoesler, Romero, Chandler, Jarrett, Reardon, Gombosky, Morris, Sehlin, Lantz, Conway, Kenney, Santos, Ogden, Bush, Schual-Berke, Kessler, Chase, Rockefeller, Simpson, McDermott and Kagi.

**Brief Summary of Bill**

- Extends the period of time that new environmental excellence agreements can be entered into from 2002 to 2012.

**Hearing Date:** 2/5/02

**Staff:** Jason Callahan (786-7117).

**Background:**

Project XL is a federal initiative designed to provide regulated entities with flexibility in meeting environmental requirements while reducing pollution at the same time. Washington created a program under Project XL in 1997 that authorizes the director of a state, regional, or local agency to enter into environmental excellence agreements. Since that time, numerous other states have developed similar programs.

Regulated entities may propose alternative methods for complying with environmental laws to the directors of any state, regional, or local agency. These proposals can be accepted, and become environmental excellence agreements, if doing so will result in more effective and efficient environmental results. A proposal for an environmental excellence agreement must include a plan to involve stakeholders in the development, consideration, and implementation of the proposed environmental excellence agreement. Final decisions to accept, modify, or terminate environmental excellence agreements is subject to judicial review in superior court.

Environmental excellence agreements can be entered into for most environmental laws. "Environmental laws" is defined to include laws effecting clean air, solid waste management, hazardous waste management, hydraulic permits, water pollution control, air and water

pollution disclosure, drinking water, wastewater treatment, the Shorelines Management Act, dairy waste management, and other responsibilities of the Department of Ecology. However, certain environmental laws are not subject to environmental excellence agreements. Agreements are not allowed for the release of a water or air pollutant that will exceed the allowed ambient environmental standard, for a proposal that would decrease the overall environmental results achieved by the facility over a past period of time, and for any remedial actions under the Model Toxics Control Act.

The authority for agency directors to enter into environmental excellence agreements expires on June 30, 2002. Any agreements entered into before this date will remain in effect. The Department of Ecology reports that only one environmental excellence agreement has been entered into as of January 1, 2002.

**Summary of Bill:**

The period of time that new environmental excellence agreements can be entered into is extended from June 30, 2002 to June 30, 2012.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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