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**SUBSTITUTE HOUSE BILL 1743**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Cooper, Upthegrove, Sump, Pearson and Anderson; by request of Department of Ecology)

READ FIRST TIME 02/27/03.

1 AN ACT Relating to hazardous waste; and creating a new section.

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

3 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) Substantial volumes of hazardous wastes, and used oil and other  
5 recycled materials, are being accumulated and managed at facilities  
6 located throughout Washington;

7 (b) Some hazardous waste management facilities, used oil  
8 processors, and recyclers have been abandoned, shut down, or gone  
9 bankrupt in Washington, leaving taxpayers, property owners, or former  
10 customers with millions of dollars in clean-up costs and significant  
11 environmental impacts; and

12 (c) The proper management and oversight of wastes at these  
13 facilities is essential to prevent adverse effects to the environment  
14 and economy and to protect public health and safety.

15 (2) Toward that end, the legislature determines that by December  
16 31, 2003, the department of ecology shall, in consultation with  
17 representatives of the waste management industry, businesses that  
18 generate waste, financial institutions, insurance companies, local  
19 government, environmental groups, and other interested parties, provide

1 a report to the appropriate standing committees of the house of  
2 representatives and the senate containing at least the following  
3 information and recommendations:

4 (a) Recommended requirements for financial assurance to  
5 appropriately close and clean up these facilities;

6 (b) Recommended requirements for liability insurance to address any  
7 unplanned sudden or nonsudden contaminant release to the environment of  
8 these facilities;

9 (c) Recommend a system for authorizing off-site recycling and used  
10 oil processing operations that are not currently subject to hazardous  
11 waste permits; and

12 (d) Information on a possible fee-based system to provide adequate  
13 funding for the department's permitting, compliance, and assistance  
14 programs for hazardous waste facilities, including recyclers and used  
15 oil processors.

16 (3) It is the intent of the legislature that by July 1, 2005, all  
17 off-site used oil and recycling activities at facilities will have  
18 financial assurance and pollution liability insurance in place. In  
19 developing rules to implement recommendations, the department of  
20 ecology shall work with stakeholders to review existing state and  
21 federal requirements and evaluate potential environmental risk.

22 (4) Nothing in this section applies to waste generators.

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