



# Focus

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## Improved Hazardous Waste Management

### Background

There are long-standing financial responsibility and environmental safety issues associated with the operation of Hazardous Waste Management Facilities (HWMFs). These issues include:

The **CleanCare** Facility in Tacoma recently closed for financial reasons. Removal of the waste left on-site has cost more than \$4.3 million to date. The cost for cleaning the contaminated soils and ground water is unknown. Some 3,000 customers are potentially liable for the costs.

At the **Cameron** site in Yakima, 225 of its customers, referred to as Potentially Liable Parties (PLPs), have contributed \$4.5 million to date into a trust account for cleaning the site and other remediation activities. They may be liable for as much as \$22 million before all the groundwater monitoring work is completed.

- HWMFs accept and manage a wide variety of hazardous materials that, if mishandled, seriously threaten public health and the environment. Regulation of these facilities is currently intensive, but limited in scope. Only activities that are covered through hazardous-waste permits are subject to detailed design, construction and performance standards.
- Many activities and wastes are exempt from environmental permitting, and this has created problems for effective regulation, as demonstrated by Ecology's recent experience with the **CleanCare** site. Virtually all of the commercial treatment, storage and disposal facilities are in some stage of corrective action. Corrective action addresses the investigation and cleanup of hazardous releases resulting from accidents or other activities that pollute soil, ground water, surface water and air at HWMFs.
- Current financial assurance and liability insurance requirements are inadequate and need to be re-examined. These are tools intended to provide money for HWMFs to dispose of wastes properly, decontaminate equipment and buildings, and ensure that contamination is not left behind when they close or fail.
- In order to provide for enhanced oversight of these firms, funding mechanisms for Ecology's processing of hazardous-waste permits need to be identified, developed and implemented. Options might include hazardous-waste permit fees, some type of public/private partnership, and/or various funding incentives.

## **Strategy**

The Hazardous Waste and Toxics Reduction (HWTR) Program of the Washington State Department of Ecology is requesting an appropriation of \$500,000 from the State Toxics Control Account to undertake an evaluation of the HWMF universe. This funding will support the kind of thorough, comprehensive review that is needed. Such a review should:

- **Assess the limits** of current statutes, regulations and policies governing Hazardous Waste Management Facilities.
- Use stakeholder participation to **identify and evaluate problems** that can result in lapses in environmental protection and financial assurance.
- **Determine what additional regulatory controls and financial assurance mechanisms** are needed and what **long-term funding options** for hazardous-waste permitting activities are needed.
- Determine how other states and provinces have addressed the need for a sound HWMF infrastructure including private/public partnerships.
- Develop policies and procedures for better ways to **inform the public** about the status of HWMFs regarding site contamination and their financial health.

There are numerous issues at sites like **Philip Services Corp. in Georgetown**, where it is evident that the public is not aware of the risk to human health and the environment resulting from past and some current practices. Customers at commercial facilities are likewise not sufficiently aware of the financial liability they face when these sites close.

And finally, the review should lead to **recommendations** for action by the 2003 Legislature.

## **A Win-Win Project**

Ecology expects the review would result in re-designed and expanded programs that better ensure a healthy infrastructure for HWMFs, establish lower long-term environmental liability for their customers, and provide for better environmental protection.

## **For Information**

Contact the Department of Ecology, Hazardous Waste and Toxics Reduction Program:

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## **Additional Note**

Ecology is also requesting \$1 million from the Local Toxics Control Account to help local governments that have conducted moderate risk waste or similar programs and have become liable for remedial actions at permitted hazardous waste facilities. This request will need to be approved by the Governor's Office and the State Legislature.