

HOUSE BILL REPORT

EHB 2779

*As Passed House
February 18, 1992*

Title: An act relating to entry of radioactive waste into the state.

Brief Description: Requiring that the state request a NEPA EIS if actions pursuant to federal legislation are likely to result in radioactive waste entering the state at other than an approved port of entry.

Sponsor(s): Representatives Cooper, H. Myers, Riley and Jacobsen.

Brief History:

Reported by House Committee on:
Energy & Utilities, February 7, 1992, DP;
Capital Facilities & Financing, February 11, 1992, DPA;
Passed House, February 18, 1992, 96-0.

**HOUSE COMMITTEE ON
ENERGY & UTILITIES**

Majority Report: *Do pass.* Signed by 8 members:
Representatives Grant, Chair; H. Myers, Vice Chair; May,
Ranking Minority Member; Hochstatter, Assistant Ranking
Minority Member; Cooper; R. Fisher; Jacobsen; and Miller.

Minority Report: *Do not pass.* Signed by 3 members:
Representatives Bray; Casada; and Rayburn.

Staff: Fred Adair (786-7113).

**HOUSE COMMITTEE ON
CAPITAL FACILITIES & FINANCING**

Majority Report: *Do pass as amended.* Signed by 15 members:
Representatives H. Sommers, Chair; Rasmussen, Vice Chair;
Schmidt, Ranking Minority Member; Neher, Assistant Ranking
Minority Member; Beck; Braddock; Brough; Casada; Fraser;
Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Staff: Karl Herzog (786-7271).

Background:

Public interest has been strong in encouraging extensive state involvement in the management of radioactive waste. Among the measures implemented is limitation of the points on the state border where radioactive waste may enter the state. Inspection of transporting vehicles is done at those points. Currently two are authorized, one at Plymouth, adjacent to McNary Dam on the Columbia River just below the Tri-Cities, and the other east of Spokane at the border on I-90.

Actions pursuant to the federal Hazardous Materials Transportation Act and pertinent federal regulations could result in additional ports of entry, with the most likely one in the near term being at the Longview Bridge.

State interests can be served by state involvement in any relevant proceedings and by requiring transporting vehicle inspections at any additional ports of entry that may be established. There should not be additional costs accruing to the state by designation of additional ports of entry.

Summary of Bill:

The state will intervene in any proceedings likely to result in additional ports of entry into the state for radioactive waste. The state shall request preparation of an environmental impact statement.

Inspections identical to those now conducted at existing ports of entry will be conducted and will be financed by collection of a public safety tariff. The amount of the tariff will be high enough to fully fund the cost of the inspections.

Fiscal Note: Available.

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

Testimony For: (Energy & Utilities) The environmental impact statement would provide additional information on why an additional port of entry might be needed. It would answer questions that would be raised by the public. The tariff is favored as a means to internalize the cost of an additional port of entry.

(Capital Facilities & Financing) This legislation would require that all costs associated with inspections at a new port of entry would be borne by the transporters of radioactive waste utilizing the port of entry. Transporters utilizing either of the two existing ports of entry would not be impacted.

Testimony Against: (Energy & Utilities) The tariff would constitute double taxation.

(Capital Facilities & Financing) None.

Witnesses: (Energy & Utilities) David Allison, Heart of America Northwest (pro); and Barry Bede, U. S. Ecology, Inc. (Opposed to section 3 of bill).

(Capital Facilities & Financing) Representative David Cooper, 18th District.