

## CHAPTER 237

[Engrossed Senate Bill No. 4607]

DANGEROUS AND HAZARDOUS WASTES—VIOLATIONS—DEPARTMENT  
OF ECOLOGY DUTIES

AN ACT Relating to hazardous waste; amending section 9, chapter 101, Laws of 1975-'76 2nd ex. sess. as amended by section 3, chapter 172, Laws of 1983 and RCW 70.105.090; amending section 2, chapter 270, Laws of 1983 and RCW 70.105.145; and amending section 11, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.110.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 9, chapter 101, Laws of 1975-'76 2nd ex. sess. as amended by section 3, chapter 172, Laws of 1983 and RCW 70.105.090 are each amended to read as follows:

In addition to the penalties imposed pursuant to RCW 70.105.080, any person who violates any provisions of this chapter, or of the rules implementing this chapter, and any person who knowingly aids or abets another in conducting any violation of any provisions of this chapter, or of the rules implementing this chapter, shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than ten thousand dollars, and/or by imprisonment in the county jail for not more than one year, for each separate violation. Each and every such violation shall be a separate and distinct offense. In case of continuing violation, every day's continuance shall be a separate and distinct offense.

Sec. 2. Section 2, chapter 270, Laws of 1983 and RCW 70.105.145 are each amended to read as follows:

Notwithstanding any other provision of chapter 70.105 RCW, the department of ecology is empowered to participate fully in and is empowered to administer all aspects of the programs of the federal Resource Conservation and Recovery Act, as it exists on ((July 24, 1983)) the effective date of this 1984 amendatory act, (42 U.S.C. Sec. 6901 et seq.), contemplated for participation and administration by a state under that act.

Sec. 3. Section 11, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.110 are each amended to read as follows:

(1) With the exception of subsection (2), nothing in this chapter shall apply to any radioactive waste or radioactive material.

(2) Nothing in this chapter shall alter, amend, or supersede the provisions of chapter 80.50 RCW, ((as now existing or hereafter amended, or grant to the department or to the solid waste advisory committee any authority regarding the regulation, certification, construction, or siting of thermal power plants, as defined in such acts)) except that, notwithstanding any provision of chapter 80.50 RCW, regulation of dangerous wastes associated with energy facilities from generation to disposal shall be solely by

the department pursuant to chapter 70.105 RCW. In the implementation of said section, the department shall consult and cooperate with the energy facility site evaluation council and, in order to reduce duplication of effort and to provide necessary coordination of monitoring and on-site inspection programs at energy facility sites, any on-site inspection by the department that may be required for the purposes of this chapter shall be performed pursuant to an interagency coordination agreement with the council.

(3) To facilitate the implementation of this chapter, the energy facility site evaluation council may require certificate holders to remove from their energy facility sites any dangerous wastes, controlled by this chapter, within ninety days of their generation.

Passed the Senate March 4, 1984.

Passed the House March 5, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.

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## CHAPTER 238

[Senate Bill No. 4619]

### FIRE PROTECTION DISTRICTS

AN ACT Relating to fire protection districts; amending section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030; amending section 26, chapter 34, Laws of 1939 as last amended by section 1, chapter 64, Laws of 1977 and RCW 52.12.050; adding new sections to chapter 52.14 RCW; and repealing section 1, chapter 176, Laws of 1953, section 2, chapter 101, Laws of 1972 ex. sess., section 161, chapter 3, Laws of 1983 and RCW 52.12.110.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030 are each amended to read as follows:

Any fire protection district organized under this ~~((act shall have authority))~~ title may:

(1) ~~((To))~~ Lease, acquire, own, maintain, operate, and provide fire ~~((engines))~~ and emergency medical apparatus and all other necessary or proper ~~((apparatus,))~~ facilities, machinery, and equipment for the prevention and ~~((extinguishment))~~ suppression of fires, the providing of emergency medical services and the protection of life and property;

(2) ~~((To))~~ Lease, acquire, own, maintain, and operate real property, improvements, and fixtures ~~((thereon suitable and convenient))~~ for housing, repairing, and ~~((caring for fire fighting equipment))~~ maintaining the apparatus, facilities, machinery, and equipment described in subsection (1) of this section;

(3) ~~((To enter into contract with any incorporated city or town where- by such city or town shall furnish fire prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of~~