

RESOLUTION NO. 101-95

A RESOLUTION AMENDING RESOLUTION 90-95 TO CHANGE THE DATE FOR RECONSIDERING THE HAZARDOUS WASTE FACILITY SITING MORATORIUM FROM JANUARY 22, 1996 TO FEBRUARY 22, 1996.

IN THE MATTER OF:

A MORATORIUM ON FILING AND PROCESSING OF BUILDING, GRADING, AND HAZARDOUS WASTE SITING PERMITS FOR HAZARDOUS WASTE STORAGE, TREATMENT, TRANSFER, SHIPPING, TRANSPORTATION, AND/OR HANDLING FACILITIES IN UNINCORPORATED MASON COUNTY.

WHEREAS, the Legislature of the State of Washington has declared that safe and responsible management of hazardous waste is necessary to prevent adverse effects on the environment and to protect the public health and safety (Chapter 70.105 RCW);

WHEREAS, Mason County concurs with the Legislature of the State of Washington that responsible, planned management of hazardous waste is necessary to prevent adverse effects on the environment and to protect public health and safety;

WHEREAS, on January 28, 1992 the Board of Mason County Commissioners adopted Ordinance 11-92 relating to the siting of hazardous waste treatment and storage facilities pursuant to Chapter 70.105 RCW and 173-303 WAC;

WHEREAS, Mason County has recognized through additional planning efforts in accordance with RCW 36.70 that further consideration must be given to Ordinance 11-92 in order to adequately protect the public health and safety;

WHEREAS, revisions will be made through a planning process which addresses the concerns of the community in an attempt to define more specific regulations in the siting of hazardous waste facilities;

WHEREAS, applications submitted for hazardous waste treatment, storage, shipping, transportation, and handling facilities projects during the interim period could vest under the regulations in effect at the time the application is made;

WHEREAS, the intended effect of possible amendments could be foreclosed or thwarted by applications vested during the interim period;

WHEREAS, the Board determined on August 22, 1995 that the above facts necessitated additional time for planning and adopted a moratorium on the siting of hazardous waste facilities, to be reconsidered no later than February 22, 1996;

WHEREAS, the Board finds that it is in the interest of public health and safety to extend the moratorium;

NOW, THEREFORE, an extension of a moratorium on the acceptance for filing and processing of applications for hazardous waste treatment, storage, transfer, shipping, transportation, and handling facilities projects is ordered and ordained. For the duration of the moratorium, Mason County shall not accept for filing and shall not process any application for such facilities. This moratorium shall not be considered a ban on such facilities. Definition of hazardous waste facilities shall include those defined in 173-303 WAC, as well as any other facility which stores or transfers hazardous waste for any time period.

This moratorium shall expire upon completion of final action by the Board of Commissioners on changes to Ordinance 11-92. If final action is not completed by February 22, 1996, the Board of County Commissioners will review the need to continue this moratorium.

DATED this 26th day of September, 1995

BOARD OF COUNTY COMMISSIONERS

William O. Hunter
Chairman Hunter

M. R. Faughender
Commissioner Faughender

Mary Jo Cady
Commissioner Cady

APPROVED AS TO FORM:

Mark Pitt, CHIEF OPA
Prosecuting Attorney

ATTEST:

Rebecca S. Rogers
Clerk of the Board

C: PLANNING