

ENVIRONMENT

Superfund Bill Passes House With Hazardous Waste Rider

A bill imposing a variety of taxes on water users and potential polluters to finance state Superfund groundwater cleanup projects Thursday passed the House on a 32-20 vote. Passage to the Senate followed the adoption of a controversial floor amendment imposing a tax on companies who import hazardous waste to Arizona for disposal.

Casa Grande Republican Jim Hartdegen argued that the amendment — which would require waste importers to pay a tax of \$20 per ton on waste or the amount of any fees imposed in their home state, whichever is greater — would unduly penalize the ENSCO Inc. hazardous waste disposal facility near Mobile that is due to open later this year. He said the company based its contract with the state on the assumption that waste importation would not be discouraged. He added that the amendment jeopardizes ENSCO's ability to make a profit from waste accepted from California and

other states and may cause the facility to “never be opened.”

But the amendment's sponsor, Tucson Democrat John Kromko, argued that hazardous waste producers shouldn't be allowed to turn to Arizona to escape tough disposal laws in their home states. “I don't think they should be allowed to avoid the taxes and the fees in their own state and I don't think Arizona should become the dumping ground of the Southwest,” he said, calling his proposal “an extremely important amendment for the future of our state.”

The amendment was adopted after the bill's chief sponsor, House Majority Whip Chris Herstam, urged members to support it as a proposal that “makes a lot of sense.”

The Superfund, which is tapped when those responsible for water contamination either cannot be located or are unable to pay for cleaning it up themselves, currently is fueled by \$5 million annual appropriations from the state general fund. The bill, H2219, would create a dedicated funding source for the Superfund,

eliminating the need for it to compete for appropriations.

The bill would impose additional taxes or fees on agricultural pesticide and fertilizer registrations, city water users, solid waste landfills, septic tanks, wastewater treatment facilities, hazardous waste facilities, non-irrigation groundwater pumping, industrial discharges to sewer systems, and “environmentally hazardous” household products like motor oil, drain cleaners, paints, varnishes and garden pesticides. Former Governor Mecham vetoed a similar bill in 1987.

Including the tax on hazardous-waste importers, the bill would generate nearly \$7 million, according to estimates. More than \$500,000 of the collections would be used for administrative expenses and the rest would be deposited in the Superfund.

Tolleson Democrat Henry Evans led a floor fight against the bill, arguing that there is nothing wrong with financing the Superfund through general fund

Continued on page 2

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