

SPEAKER BAACK: Senator Lindsay, would you respond.

SENATOR LINDSAY: Yes.

SENATOR MORRISSEY: What did you say, the second half does what?

SENATOR LINDSAY: I don't know.

SENATOR MORRISSEY: You said...you said it would allow US Ecology to...

SENATOR LINDSAY: Yeah, let me...okay. The...going in lines 5 through 8, no supersedeas bond shall be required to stay the final decision or order of the department, pending review of the Supreme Court. Now supersedeas bond, as I explained how that works, now what you've got is I don't think you need the provision, in the case of the application process, because if the people...if the application is granted, the people want to...if the citizens want to appeal that decision, there's a, I think, a real good question, whether US Ecology is going to sink a lot of money into actually trying to get operating, knowing that that could be yanked out from underneath them. So the question is whether...whether the people would have to do that to stop US Ecology from doing anything anyway. Just from a practical matter, US Ecology wouldn't do that, because they're going to lose the money, if they end up losing on appeal. The reverse side of that, the flip side of that is back on page...on the previous page, lines 2 through 4, this provision also applies to closing a facility, or modifying, suspending or revoking a license. So let's say a couple years down the line, let's say we have a radiation leak, or whatever it might be, storing ultra hazard stuff there, and we want to suspend their license, or revoke their license. You can get the order from the department, revoking or suspending the license. US Ecology would have the right to appeal that decision, and would not have to post a bond, for whether it might be the costs that might be incurred in cleanup, whatever it might be, pending appeal. So they would continue to operate, even if they knew they were going to lose their license, they have that absolute right to the appeal.

SENATOR MORRISSEY: Okay, and on the other hand, if it were license granting, granted a license, then we...if I don't do this, then the citizens are going to have to provide this bond.