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HOUSE BILL 2649

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State of Washington

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By Representatives J. Kohl, Horn, Rust, L. Johnson, Linville, Foreman, Roland and Flemming

Read first time 01/19/94. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to solid waste and recyclables; amending RCW  
2 70.95.010 and 70.95.280; prescribing penalties; and declaring an  
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.95.010 and 1989 c 431 s 1 are each amended to read  
6 as follows:

7 The legislature finds:

8 (1) Continuing technological changes in methods of manufacture,  
9 packaging, and marketing of consumer products, together with the  
10 economic and population growth of this state, the rising affluence of  
11 its citizens, and its expanding industrial activity have created new  
12 and ever-mounting problems involving disposal of garbage, refuse, and  
13 solid waste materials resulting from domestic, agricultural, and  
14 industrial activities.

15 (2) Traditional methods of disposing of solid wastes in this state  
16 are no longer adequate to meet the ever-increasing problem. Improper  
17 methods and practices of handling and disposal of solid wastes pollute  
18 our land, air and water resources, blight our countryside, adversely  
19 affect land values, and damage the overall quality of our environment.

1 (3) Considerations of natural resource limitations, energy  
2 shortages, economics and the environment make necessary the development  
3 and implementation of solid waste recovery and/or recycling plans and  
4 programs.

5 (4) Waste reduction must become a fundamental strategy of solid  
6 waste management. It is therefore necessary to change manufacturing  
7 and purchasing practices and waste generation behaviors to reduce the  
8 amount of waste that becomes a governmental responsibility.

9 (5) Source separation of waste must become a fundamental strategy  
10 of solid waste management. Collection and handling strategies should  
11 have, as an ultimate goal, the source separation of all materials with  
12 resource value or environmental hazard.

13 (6)(a) It is the responsibility of every person to minimize his or  
14 her production of wastes and to separate recyclable or hazardous  
15 materials from mixed waste.

16 (b) It is the responsibility of state, county, and city governments  
17 to provide for a waste management infrastructure to fully implement  
18 waste reduction and source separation strategies and to process and  
19 dispose of remaining wastes in a manner that is environmentally safe  
20 and economically sound. It is further the responsibility of state,  
21 county, and city governments to monitor the cost-effectiveness and  
22 environmental safety of combusting separated waste, processing mixed  
23 waste, and recycling programs.

24 (c) It is the responsibility of county and city governments to  
25 assume primary responsibility for solid waste management and to develop  
26 and implement aggressive and effective waste reduction and source  
27 separation strategies.

28 (d) It is the responsibility of state government to ensure that  
29 local governments are providing adequate source reduction and  
30 separation opportunities and incentives to all, including persons in  
31 both rural and urban areas, and nonresidential waste generators such as  
32 commercial, industrial, and institutional entities, recognizing the  
33 need to provide flexibility to accommodate differing population  
34 densities, distances to and availability of recycling markets, and  
35 collection and disposal costs in each community; and to provide county  
36 and city governments with adequate technical resources to accomplish  
37 this responsibility.

38 (7) Environmental and economic considerations in solving the  
39 state's solid waste management problems require((s)) strong

1 consideration by local governments of regional solutions and  
2 intergovernmental cooperation.

3 (8) The following priorities for the collection, handling, and  
4 management of solid waste are necessary and should be followed in  
5 descending order as applicable:

6 (a) Waste reduction;

7 (b) Recycling, with source separation of recyclable materials as  
8 the preferred method;

9 (c) Energy recovery, incineration, or landfill of separated waste;

10 (d) Energy recovery, incineration, or landfilling of mixed wastes.

11 (9) It is the state's goal to achieve a fifty percent recycling  
12 rate by 1995.

13 (10) Steps should be taken to make recycling at least as affordable  
14 and convenient to the ratepayer as mixed waste disposal.

15 (11) It is necessary to compile and maintain adequate data on the  
16 types and quantities of solid waste and recyclables that are being  
17 generated and collected and to monitor how the various types of solid  
18 waste and recyclables are being managed. The availability of timely  
19 and accurate information is critical to state and local efforts to plan  
20 and develop solid waste and recycling programs.

21 (12) Vehicle batteries should be recycled and the disposal of  
22 vehicle batteries into landfills or incinerators should be  
23 discontinued.

24 (13) Excessive and nonrecyclable packaging of products should be  
25 avoided.

26 (14) Comprehensive education should be conducted throughout the  
27 state so that people are informed of the need to reduce, source  
28 separate, and recycle solid waste.

29 (15) All governmental entities in the state should set an example  
30 by implementing aggressive waste reduction and recycling programs at  
31 their workplaces and by purchasing products that are made from recycled  
32 materials and are recyclable.

33 (16) To ensure the safe and efficient operations of solid waste  
34 disposal facilities, it is necessary for operators and regulators of  
35 landfills and incinerators to receive training and certification.

36 (17) It is necessary to provide adequate funding to all levels of  
37 government so that successful waste reduction and recycling programs  
38 can be implemented.

1 (18) The development of stable and expanding markets for recyclable  
2 materials is critical to the long-term success of the state's recycling  
3 goals. Market development must be encouraged on a state, regional, and  
4 national basis to maximize its effectiveness. The state shall assume  
5 primary responsibility for the development of a multifaceted market  
6 development program to carry out the purposes of this act.

7 (19) There is an imperative need to anticipate, plan for, and  
8 accomplish effective storage, control, recovery, and recycling of  
9 discarded tires and other problem wastes with the subsequent  
10 conservation of resources and energy.

11 **Sec. 2.** RCW 70.95.280 and 1989 c 431 s 13 are each amended to read  
12 as follows:

13 (1) The department of ecology shall determine the best management  
14 practices for categories of solid waste in accordance with the priority  
15 solid waste management methods established in RCW 70.95.010. In order  
16 to make this determination, the department shall conduct a  
17 comprehensive solid waste stream analysis and evaluation. Following  
18 establishment of baseline data resulting from an initial in-depth  
19 analysis of the waste stream, the department shall develop a less  
20 intensive method of monitoring the disposed waste stream including, but  
21 not limited to, changes in the amount of waste generated and waste  
22 type. The department shall monitor curbside collection programs and  
23 other waste segregation and disposal technologies to determine, to the  
24 extent possible, the effectiveness of these programs in terms of cost  
25 and participation, their applicability to other locations, and their  
26 implications regarding rules adopted under this chapter.

27 (2) Persons who collect solid waste or recyclables shall annually  
28 report to the department the types and quantities of solid waste or  
29 recyclables that are collected and where ~~((it is))~~ they are delivered.  
30 The department shall adopt guidelines for reporting and for keeping  
31 proprietary information confidential. All reports shall be completed  
32 and received by the date specified by the department. The department  
33 shall endeavor to minimize the amount of time necessary to fulfill the  
34 reporting requirements. Upon request, the department shall provide  
35 technical assistance to a collector. The department shall provide each  
36 late respondent a written notice informing the collector of the  
37 following:

38 (a) The initial date the report is due;

1       (b) The collector has thirty days to complete and submit the report  
2 required under this section;

3       (c) That technical assistance is available; and

4       (d) The penalties for not submitting a complete report within  
5 thirty days.

6       (3) It is a class 3 civil infraction as defined in RCW 7.80.120 for  
7 a collector to violate the provisions of subsection (2) of this  
8 section. Each day of violation is considered a separate infraction.

9       NEW SECTION. Sec. 3. This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and shall take  
12 effect immediately.

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