
SUBSTITUTE HOUSE BILL 1681

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Clements, Linville and Cooke)

Read first time 03/05/97.

1 AN ACT Relating to solid waste; amending RCW 70.95.010, 70.95.020,
2 and 70.95.040; adding a new section to chapter 70.95 RCW; repealing RCW
3 70.95.050; and providing an expiration date.

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 ~~((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.))~~ The primary objectives of solid waste management are
5 resource conservation and protection of human health and the
6 environment. Waste reduction conserves energy, water, land, and other
7 natural resources. Recycling often conserves natural resources by
8 reducing reliance on virgin materials.

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

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

17 (6) Solid waste management, including waste reduction and
18 recycling, should be based on sound economic principles.

19 (7)(a) It is the responsibility of every person to minimize his or
20 her production of wastes and to separate recyclable or hazardous
21 materials from mixed waste.

22 (b) It is the responsibility of state, county, and city governments
23 to provide for a waste management infrastructure to fully implement
24 waste reduction and source separation strategies and to process and
25 dispose of remaining wastes in a manner that is environmentally safe
26 and economically sound. It is further the responsibility of state,
27 county, and city governments to ~~((monitor the cost-effectiveness and~~
28 ~~environmental safety of combusting separated waste, processing mixed~~
29 ~~waste, and recycling programs))~~ improve the efficiency of recycling
30 services and programs, and to revise rules that impair the efficiency
31 of services.

32 (c) It is the responsibility of county and city governments to
33 assume primary responsibility for solid waste management and to develop
34 and implement aggressive and effective waste reduction and source
35 separation strategies.

36 (d) It is the responsibility of state government to ensure that
37 local governments are providing adequate source reduction and
38 separation opportunities and incentives to all, including persons in
39 both rural and urban areas, and nonresidential waste generators such as

1 commercial, industrial, and institutional entities, recognizing the
2 need to provide flexibility to accommodate differing population
3 densities, distances to and availability of recycling markets, and
4 collection and disposal costs in each community; and to provide county
5 and city governments with adequate technical resources and financial
6 assistance to accomplish this responsibility.

7 ((+7)) (8) Environmental and economic considerations in solving
8 the state's solid waste management problems require((s)) strong
9 consideration by local governments of regional solutions and
10 intergovernmental cooperation.

11 ((+8)) (9) The following priorities for the collection, handling,
12 and management of solid waste are necessary and should be followed in
13 descending order as applicable:

14 (a) Waste reduction;

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

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

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

19 ((+9)) (10) It is the state's short-term goal to achieve a fifty
20 percent recycling rate ((by 1995)). The state's long-term goal is to
21 eliminate or minimize waste to the greatest extent practical.

22 ((+10)) (11) Steps should be taken to make recycling at least as
23 affordable and convenient to the ratepayer as mixed waste disposal.

24 ((+11)) (12) It is necessary to compile and maintain adequate data
25 on the types and quantities of solid waste that are being generated and
26 to monitor how the various types of solid waste are being managed.

27 ((+12)) (13) Vehicle batteries should be recycled and the disposal
28 of vehicle batteries into landfills or incinerators should be
29 discontinued.

30 ((+13)) (14) Excessive ((and)), nonrecyclable, and difficult to
31 recycle packaging of products should be avoided.

32 ((+14)) (15) Comprehensive education should be conducted
33 throughout the state so that people are informed of the need and
34 opportunity to reduce, source separate, and recycle solid waste, as
35 well as to purchase products made from recycled materials.

36 ((+15)) (16) All governmental entities in the state should set an
37 example by implementing aggressive waste reduction and recycling
38 programs at their workplaces and by purchasing products that are made
39 from recycled materials and are recyclable.

1 (~~(16)~~) (17) To ensure the safe and efficient operations of solid
2 waste disposal facilities, it is necessary for operators and regulators
3 of landfills and incinerators to receive training and certification.

4 (~~(17)~~) (18) It is necessary to provide adequate funding to all
5 levels of government so that successful waste reduction and recycling
6 programs can be implemented.

7 (~~(18)~~) (19) The development of stable and expanding markets for
8 recyclable materials is critical to the long-term success of the
9 state's recycling goals. Market development must be encouraged on a
10 state, regional, and national basis to maximize its effectiveness. The
11 state shall assume primary responsibility for the development of a
12 multifaceted market development program to carry out the purposes of
13 (~~this act~~) chapter 431, Laws of 1989.

14 (~~(19)~~) (20) There is an imperative need to anticipate, plan for,
15 and accomplish effective storage, control, recovery, and recycling of
16 discarded tires and other problem wastes with the subsequent
17 conservation of resources and energy.

18 **Sec. 2.** RCW 70.95.020 and 1985 c 345 s 2 are each amended to read
19 as follows:

20 (1) The purpose of this chapter is to establish a comprehensive
21 state-wide program for solid waste handling, waste reduction, and
22 (~~solid waste recovery and/or~~) recycling which will prevent land, air,
23 and water pollution and conserve the natural, economic, and energy
24 resources of this state. To this end it is the purpose of this
25 chapter:

26 (~~(1)~~) (a) To assign primary responsibility for adequate solid
27 waste handling to local government, reserving to the state, however,
28 those functions necessary to (~~assure effective programs throughout the~~
29 ~~state~~) develop state-wide policies and serve as a central source for
30 data and information;

31 (~~(2)~~) (b) To provide for adequate planning for solid waste
32 handling by local government;

33 (~~(3)~~) (c) To provide for the adoption and enforcement of basic
34 minimum performance standards for solid waste handling;

35 (~~(4)~~) (d) To provide technical and financial assistance to local
36 governments in the planning, development, and (~~conduct~~)
37 implementation of solid waste handling programs;

1 (~~(5)~~) (e) To encourage storage, proper disposal, and recycling of
2 discarded vehicle tires and to stimulate private recycling programs
3 throughout the state.

4 (2) It is the intent of the legislature that local governments be
5 encouraged to use the expertise of private industry and to contract
6 with private industry to the fullest extent possible to carry out solid
7 waste recovery and/or recycling programs.

8 **Sec. 3.** RCW 70.95.040 and 1991 c 319 s 401 are each amended to
9 read as follows:

10 (1) There is created a solid waste advisory committee to (~~provide~~
11 ~~consultation to~~) advise the department (~~of ecology concerning matters~~
12 ~~covered by this chapter. The committee shall advise~~) on solid waste
13 issues, including the development of programs and regulations for solid
14 ~~(and dangerous)~~ waste handling, resource recovery, and waste
15 reduction and recycling(~~(, and)~~). The committee shall supply annual
16 recommendations concerning methods by which existing solid (~~and~~
17 ~~dangerous~~) waste handling, resource recovery, and waste reduction and
18 recycling practices and the laws authorizing them may be supplemented
19 and improved. The recommendations shall address environmental,
20 economic, regulatory, and market development issues. The committee may
21 recommend legislative changes to the department.

22 (2) The committee shall consist of (~~at least eleven~~) up to
23 seventeen members(~~(, including the assistant director for waste~~
24 ~~management programs within the department. The director shall appoint~~
25 ~~members with due regard to the interests of the public, local~~
26 ~~government, tribes, agriculture, industry, public health, recycling~~
27 ~~industries, solid waste collection industries, and resource recovery~~
28 ~~industries. The term of appointment shall be determined by the~~
29 ~~director)~~). The director of ecology, the director of the department of
30 community, trade, and economic development, the chair of the utilities
31 and transportation commission, and the chairs of the appropriate
32 standing committees of the legislature, or their designees, shall serve
33 as ex officio members. The remaining members shall represent the
34 following entities: Cities, counties, local health departments,
35 agriculture, retailers, manufacturers, the recycling industry, the
36 organic waste recycling industry, the waste management industry, the
37 environmental community, and the public. Qualifications for members
38 should include policy expertise on solid waste, waste reduction, and

1 recycling issues. The members shall be appointed by the directors of
2 the agencies serving on the committee to two-year terms, with no more
3 than half the terms expiring in any given year. Members may be
4 reappointed for up to three terms.

5 (3) The committee shall elect its own chair and meet at least four
6 times a year, in accordance with such rules of procedure as it shall
7 establish. Members shall receive no compensation for their services
8 but shall be reimbursed their travel expenses while engaged in business
9 of the committee in accordance with RCW 43.03.050 and 43.03.060 as now
10 existing or hereafter amended.

11 ~~((3))~~ (4) The committee shall ~~((each year recommend to the~~
12 ~~governor a recipient for a "governor's award of excellence" which the~~
13 ~~governor shall award for outstanding achievement by an industry,~~
14 ~~company, or individual in the area of hazardous waste or solid waste~~
15 ~~management))~~ receive agency staff support as available.

16 (5) The committee may convene technical subcommittees.

17 NEW SECTION. Sec. 4. A new section is added to chapter 70.95 RCW
18 to read as follows:

19 (1) The department, in consultation with the solid waste advisory
20 committee, shall develop a state-wide solid waste stream analysis
21 pursuant to RCW 70.95.280 through 70.95.290.

22 (2) The department, in consultation with the solid waste advisory
23 committee, shall revise its state solid waste plan using information
24 from the analysis in subsection (1) of this section. At a minimum, the
25 plan shall identify:

26 (a) Methods to improve waste reduction and recycling efforts in the
27 state;

28 (b) Waste streams to be targeted for waste reduction, recycling,
29 and reuse efforts;

30 (c) Waste reduction and recycling goals for specific waste streams,
31 including but not limited to, construction and demolition debris, food
32 wastes, agricultural wastes, and land clearing wastes; and

33 (d) Legislative or regulatory changes needed to implement RCW
34 70.95.010.

35 (3) This section expires June 30, 1999.

1 NEW SECTION. **Sec. 5.** RCW 70.95.050 and 1969 ex.s. c 134 s 5 are
2 each repealed.

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