

2 By Representative Linville

3 **ESSB 6715** - H COMM AMD **ADOPTED 3-3-00**
4 By Committee on Agriculture & Ecology

5
6 Strike everything after the enacting clause and insert the
7 following:

8 NEW SECTION. **Sec. 1.** (1) The department of general
9 administration shall work with commercial and industrial construction
10 industry organizations to develop guidelines for implementing on-site
11 construction waste management planning. The topics addressed in the
12 guidelines shall include, but shall not be limited to:

13 (a) Standards for identifying the type of wastes generated during
14 construction;

15 (b) Methods for analyzing the availability and cost-effectiveness
16 of recycling services for each type of waste;

17 (c) Methods for evaluating construction waste management
18 alternatives given limited recycling services in rural areas of the
19 state;

20 (d) Strategies to maximize reuse and recycling of wastes and
21 minimize landfill disposal;

22 (e) Standardized formats for on-site construction waste management
23 planning and reporting documents; and

24 (f) A training and technical assistance plan for public and private
25 building owners and construction industry members, in order to
26 facilitate incorporation of waste management planning and recycling
27 into standard construction industry practice.

28 (2) By December 15, 2000, the department of general administration
29 shall provide a report to the legislature on the development of the
30 guidelines required by subsection (1) of this section. The report
31 shall include recommendations for incorporating job-site waste
32 management planning and recycling into standard construction industry
33 practice.

34 NEW SECTION. **Sec. 2.** A new section is added to chapter 81.77 RCW
35 to read as follows:

1 (1) In order to provide an incentive for recycling, the commission
2 shall allow a solid waste collection company collecting recyclable
3 materials from residential customers to retain thirty percent of the
4 revenue paid to the companies for the material. The remaining seventy
5 percent of the revenue shall be passed to residential customers served
6 by the company. Failure to provide documentation of increased
7 recycling will cause the entire revenue stream to be passed to
8 residential customers served by the company. The following documents
9 are required:

10 (a) A plan submitted to the commission that is consistent with the
11 comprehensive solid waste plan and showing how the company plans to
12 increase recycling; and

13 (b) A yearly report showing that the plan has been successful at
14 increasing recycling, as demonstrated by actual recycling tonnage
15 increases, or by decreases in landfill disposal, or by other methods as
16 agreed to by the local jurisdiction.

17 (2) By December 1, 2003, the commission shall provide a report to
18 the legislature that evaluates:

19 (a) The effectiveness of revenue sharing as an incentive to
20 increase recycling in the state; and

21 (b) The effect of revenue sharing on costs to customers.

22 (3) This section expires December 31, 2006.

23 **Sec. 3.** RCW 43.19A.020 and 1996 c 198 s 1 are each amended to read
24 as follows:

25 (1) The USEPA product standards, as now or hereafter amended, are
26 adopted as the minimum standards for the state of Washington. These
27 standards shall be implemented for at least the products listed in (a)
28 and (b) of this subsection by the dates indicated, unless the director
29 finds that a different standard would significantly increase recycled
30 product availability or competition.

31 (a) By July 1, 1997:

32 (i) Paper and paper products;

33 (ii) Organic recovered materials; and

34 (iii) Latex paint products;

35 (b) By July 1, 1997:

36 (i) Products for lower value uses containing recycled plastics;

37 (ii) Retread and remanufactured tires;

38 (iii) Lubricating oils;

- 1 (iv) Automotive batteries;
- 2 (v) Building ((insulation)) products and materials;
- 3 (vi) Panelboard; and
- 4 (vii) Compost products.

5 (2) By July 1, 2001, the director shall adopt product standards for
6 strawboard that has, as an ingredient, straw that is a byproduct of the
7 production of cereal grains or turf or grass seed.

8 (3) The standards required by this section shall be applied to
9 recycled product purchasing by the department and other state agencies.
10 The standards may be adopted or applied by any other local government
11 in product procurement. The standards shall provide for exceptions
12 under appropriate circumstances to allow purchases of recycled products
13 that do not meet the minimum content requirements of the standards.

14 **Sec. 4.** RCW 39.04.133 and 1996 c 198 s 5 are each amended to read
15 as follows:

16 (1) The state's preferences for the purchase and use of recycled
17 content products shall be included as a factor in the design and
18 development of state capital improvement projects.

19 (2) ~~((Specifications for materials in state construction projects~~
20 ~~shall include the use of recycled content products and recyclable~~
21 ~~products whenever practicable)) If a construction project receives
22 state public funding, the product standards, as provided in RCW
23 43.19A.020, shall apply to the materials used in the project, whenever
24 the administering agency and project owner determine that such products
25 would be cost-effective and are readily available.~~

26 (3) This section does not apply to contracts entered into by a
27 municipality.

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

30 The legislature finds:

31 (1) Continuing technological changes in methods of manufacture,
32 packaging, and marketing of consumer products, together with the
33 economic and population growth of this state, the rising affluence of
34 its citizens, and its expanding industrial activity have created new
35 and ever-mounting problems involving disposal of garbage, refuse, and
36 solid waste materials resulting from domestic, agricultural, and
37 industrial activities.

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

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

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

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

18 (6)(a) It (~~is the responsibility~~) should be the goal of every
19 person to minimize his or her production of wastes and to separate
20 recyclable or hazardous materials from mixed waste.

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

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

33 (d) It is the responsibility of state government to ensure that
34 local governments are providing adequate source reduction and
35 separation opportunities and incentives to all, including persons in
36 both rural and urban areas, and nonresidential waste generators such as
37 commercial, industrial, and institutional entities, recognizing the
38 need to provide flexibility to accommodate differing population
39 densities, distances to and availability of recycling markets, and

1 collection and disposal costs in each community; and to provide county
2 and city governments with adequate technical resources to accomplish
3 this responsibility.

4 (7) Environmental and economic considerations in solving the
5 state's solid waste management problems requires strong consideration
6 by local governments of regional solutions and intergovernmental
7 cooperation.

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

11 (a) Waste reduction;

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

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

15 (d) Energy recovery, incineration, or landfiling of mixed wastes.

16 (9) It is the state's goal to achieve a fifty percent recycling
17 rate by (~~(1995)~~) 2005.

18 (10) It is the state's goal that programs be established to
19 eliminate residential or commercial yard debris in landfills by 2010.

20 (11) Steps should be taken to make recycling at least as affordable
21 and convenient to the ratepayer as mixed waste disposal.

22 (~~(11)~~) (12) It is necessary to compile and maintain adequate data
23 on the types and quantities of solid waste that are being generated and
24 to monitor how the various types of solid waste are being managed.

25 (~~(12)~~) (13) Vehicle batteries should be recycled and the disposal
26 of vehicle batteries into landfills or incinerators should be
27 discontinued.

28 (~~(13)~~) (14) Excessive and nonrecyclable packaging of products
29 should be avoided.

30 (~~(14)~~) (15) Comprehensive education should be conducted
31 throughout the state so that people are informed of the need to reduce,
32 source separate, and recycle solid waste.

33 (~~(15)~~) (16) All governmental entities in the state should set an
34 example by implementing aggressive waste reduction and recycling
35 programs at their workplaces and by purchasing products that are made
36 from recycled materials and are recyclable.

37 (~~(16)~~) (17) To ensure the safe and efficient operations of solid
38 waste disposal facilities, it is necessary for operators and regulators
39 of landfills and incinerators to receive training and certification.

1 (~~(17)~~) (18) It is necessary to provide adequate funding to all
2 levels of government so that successful waste reduction and recycling
3 programs can be implemented.

4 (~~(18)~~) (19) The development of stable and expanding markets for
5 recyclable materials is critical to the long-term success of the
6 state's recycling goals. Market development must be encouraged on a
7 state, regional, and national basis to maximize its effectiveness. The
8 state shall assume primary responsibility for the development of a
9 multifaceted market development program to carry out the purposes of
10 this act.

11 (~~(19)~~) (20) There is an imperative need to anticipate, plan for,
12 and accomplish effective storage, control, recovery, and recycling of
13 discarded tires and other problem wastes with the subsequent
14 conservation of resources and energy.

15 **Sec. 6.** RCW 70.95.030 and 1998 c 36 s 17 are each amended to read
16 as follows:

17 As used in this chapter, unless the context indicates otherwise:

18 (1) "City" means every incorporated city and town.

19 (2) "Commission" means the utilities and transportation commission.

20 (3) "Committee" means the state solid waste advisory committee.

21 (4) "Composted material" means organic solid waste that has been
22 subjected to controlled aerobic degradation at a solid waste facility
23 in compliance with the requirements of this chapter. Natural decay of
24 organic solid waste under uncontrolled conditions does not result in
25 composted material.

26 (5) "Department" means the department of ecology.

27 (6) "Director" means the director of the department of ecology.

28 (7) "Disposal site" means the location where any final treatment,
29 utilization, processing, or deposit of solid waste occurs.

30 (8) "Energy recovery" means a process operating under federal and
31 state environmental laws and regulations for converting solid waste
32 into usable energy and for reducing the volume of solid waste.

33 (9) "Functional standards" means criteria for solid waste handling
34 expressed in terms of expected performance or solid waste handling
35 functions.

36 (10) "Incineration" means a process of reducing the volume of solid
37 waste operating under federal and state environmental laws and

1 regulations by use of an enclosed device using controlled flame
2 combustion.

3 (11) "Jurisdictional health department" means city, county, city-
4 county, or district public health department.

5 (12) "Landfill" means a disposal facility or part of a facility at
6 which solid waste is placed in or on land and which is not a land
7 treatment facility.

8 (13) "Local government" means a city, town, or county.

9 (14) "Modify" means to substantially change the design or
10 operational plans including, but not limited to, removal of a design
11 element previously set forth in a permit application or the addition of
12 a disposal or processing activity that is not approved in the permit.

13 (15) "Multiple family residence" means any structure housing two or
14 more dwelling units.

15 (16) "Person" means individual, firm, association, copartnership,
16 political subdivision, government agency, municipality, industry,
17 public or private corporation, or any other entity whatsoever.

18 (17) "Recyclable materials" means those solid wastes that are
19 separated for recycling or reuse, such as papers, metals, and glass,
20 that are identified as recyclable material pursuant to a local
21 comprehensive solid waste plan. Prior to the adoption of the local
22 comprehensive solid waste plan, adopted pursuant to RCW 70.95.110(2),
23 local governments may identify recyclable materials by ordinance from
24 July 23, 1989.

25 (18) "Recycling" means transforming or remanufacturing waste
26 materials into usable or marketable materials for use other than
27 landfill disposal or incineration.

28 (19) "Residence" means the regular dwelling place of an individual
29 or individuals.

30 (20) "Sewage sludge" means a semisolid substance consisting of
31 settled sewage solids combined with varying amounts of water and
32 dissolved materials, generated from a wastewater treatment system, that
33 does not meet the requirements of chapter 70.95J RCW.

34 (21) "Soil amendment" means any substance that is intended to
35 improve the physical characteristics of the soil, except composted
36 material, commercial fertilizers, agricultural liming agents,
37 unmanipulated animal manures, unmanipulated vegetable manures, food
38 wastes, food processing wastes, and materials exempted by rule of the

1 department, such as biosolids as defined in chapter 70.95J RCW and
2 wastewater as regulated in chapter 90.48 RCW.

3 (22) "Solid waste" or "wastes" means all putrescible and
4 nonputrescible solid and semisolid wastes including, but not limited
5 to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge,
6 demolition and construction wastes, abandoned vehicles or parts
7 thereof, and recyclable materials.

8 (23) "Solid waste handling" means the management, storage,
9 collection, transportation, treatment, utilization, processing, and
10 final disposal of solid wastes, including the recovery and recycling of
11 materials from solid wastes, the recovery of energy resources from
12 solid wastes or the conversion of the energy in solid wastes to more
13 useful forms or combinations thereof.

14 (24) "Source separation" means the separation of different kinds of
15 solid waste at the place where the waste originates.

16 (25) "Vehicle" includes every device physically capable of being
17 moved upon a public or private highway, road, street, or watercourse
18 and in, upon, or by which any person or property is or may be
19 transported or drawn upon a public or private highway, road, street, or
20 watercourse, except devices moved by human or animal power or used
21 exclusively upon stationary rails or tracks.

22 (26) "Waste-derived soil amendment" means any soil amendment as
23 defined in this chapter that is derived from solid waste as defined in
24 RCW 70.95.030, but does not include biosolids or biosolids products
25 regulated under chapter 70.95J RCW or wastewaters regulated under
26 chapter 90.48 RCW.

27 (27) "Waste reduction" means reducing the amount or toxicity of
28 waste generated or reusing materials.

29 (28) "Yard debris" means plant material commonly created in the
30 course of maintaining yards and gardens, and through horticulture,
31 gardening, landscaping, or similar activities. Yard debris includes
32 but is not limited to grass clippings, leaves, branches, brush, weeds,
33 flowers, roots, windfall fruit, vegetable garden debris, holiday trees,
34 and tree prunings four inches or less in diameter.

35 **Sec. 7.** RCW 70.95.090 and 1991 c 298 s 3 are each amended to read
36 as follows:

37 Each county and city comprehensive solid waste management plan
38 shall include the following:

1 (1) A detailed inventory and description of all existing solid
2 waste handling facilities including an inventory of any deficiencies in
3 meeting current solid waste handling needs.

4 (2) The estimated long-range needs for solid waste handling
5 facilities projected twenty years into the future.

6 (3) A program for the orderly development of solid waste handling
7 facilities in a manner consistent with the plans for the entire county
8 which shall:

9 (a) Meet the minimum functional standards for solid waste handling
10 adopted by the department and all laws and regulations relating to air
11 and water pollution, fire prevention, flood control, and protection of
12 public health;

13 (b) Take into account the comprehensive land use plan of each
14 jurisdiction;

15 (c) Contain a six year construction and capital acquisition program
16 for solid waste handling facilities; and

17 (d) Contain a plan for financing both capital costs and operational
18 expenditures of the proposed solid waste management system.

19 (4) A program for surveillance and control.

20 (5) A current inventory and description of solid waste collection
21 needs and operations within each respective jurisdiction which shall
22 include:

23 (a) Any franchise for solid waste collection granted by the
24 utilities and transportation commission in the respective jurisdictions
25 including the name of the holder of the franchise and the address of
26 his or her place of business and the area covered by the franchise;

27 (b) Any city solid waste operation within the county and the
28 boundaries of such operation;

29 (c) The population density of each area serviced by a city
30 operation or by a franchised operation within the respective
31 jurisdictions;

32 (d) The projected solid waste collection needs for the respective
33 jurisdictions for the next six years.

34 (6) A comprehensive waste reduction and recycling element that, in
35 accordance with the priorities established in RCW 70.95.010, provides
36 programs that (a) reduce the amount of waste generated, (b) provide
37 incentives and mechanisms for source separation, and (c) establish
38 recycling opportunities for the source separated waste.

1 (7) The waste reduction and recycling element shall include the
2 following:

3 (a) Waste reduction strategies;

4 (b) Source separation strategies, including:

5 (i) Programs for the collection of source separated materials from
6 residences in urban and rural areas. In urban areas, these programs
7 shall include collection of source separated recyclable materials from
8 single and multiple family residences, unless the department approves
9 an alternative program, according to the criteria in the planning
10 guidelines. Such criteria shall include: Anticipated recovery rates
11 and levels of public participation, availability of environmentally
12 sound disposal capacity, access to markets for recyclable materials,
13 unreasonable cost impacts on the ratepayer over the six-year planning
14 period, utilization of environmentally sound waste reduction and
15 recycling technologies, and other factors as appropriate. In rural
16 areas, these programs shall include but not be limited to drop-off
17 boxes, buy-back centers, or a combination of both, at each solid waste
18 transfer, processing, or disposal site, or at locations convenient to
19 the residents of the county. The drop-off boxes and buy-back centers
20 may be owned or operated by public, nonprofit, or private persons;

21 (ii) Programs to monitor the collection of source separated waste
22 at nonresidential sites where there is sufficient density to sustain a
23 program;

24 (iii) Programs to collect yard waste, if the county or city
25 submitting the plan finds that there are adequate markets or capacity
26 for composted yard waste within or near the service area to consume the
27 majority of the material collected; and

28 (iv) Programs to educate and promote the concepts of waste
29 reduction and recycling;

30 (c) Recycling strategies, including a description of markets for
31 recyclables, a review of waste generation trends, a description of
32 waste composition, a discussion and description of existing programs
33 and any additional programs needed to assist public and private sector
34 recycling, and an implementation schedule for the designation of
35 specific materials to be collected for recycling, and for the provision
36 of recycling collection services;

37 (d) Consideration of residential collection rate structures that
38 provide economic incentives for customers to reduce their level of
39 solid waste collection service and increase their participation in

1 waste reduction, recycling, and yard waste collection programs. Any
2 jurisdiction that is a signatory to a comprehensive solid waste plan
3 that adopts residential incentive rates shall adopt ordinances to
4 implement rate structures that are consistent with the guidelines in
5 the comprehensive plans. The utilities and transportation commission
6 is authorized to issue rules to implement this section for solid waste
7 companies regulated under Title 81 RCW; and

8 (e) Other information the county or city submitting the plan
9 determines is necessary.

10 (8) An assessment of the plan's impact on the costs of solid waste
11 collection. The assessment shall be prepared in conformance with
12 guidelines established by the utilities and transportation commission.
13 The commission shall cooperate with the Washington state association of
14 counties and the association of Washington cities in establishing such
15 guidelines.

16 (9) A review of potential areas that meet the criteria as outlined
17 in RCW 70.95.165.

18 **Sec. 8.** RCW 70.95.290 and 1988 c 184 s 3 are each amended to read
19 as follows:

20 (1) The evaluation of the solid waste stream required in RCW
21 70.95.280 shall include the following elements:

22 (a) The department shall determine which management method for each
23 category of solid waste will have the least environmental impact; and

24 (b) The department shall evaluate the costs of various management
25 options for each category of solid waste, including a review of market
26 availability, and shall take into consideration the economic impact on
27 affected parties;

28 (c) Based on the results of (a) and (b) of this subsection, the
29 department shall determine the best management for each category of
30 solid waste. Different management methods for the same categories of
31 waste may be developed for different parts of the state.

32 (2) The department shall give priority to evaluating categories of
33 solid waste that, in relation to other categories of solid waste,
34 comprise a large volume of the solid waste stream or present a high
35 potential of harm to human health. At a minimum the following
36 categories of waste shall be evaluated:

37 (a) By January 1, 1989, yard waste and other biodegradable
38 materials, paper products, disposable diapers, and batteries; ((and))

1 (b) By January 1, 1990, metals, glass, plastics, styrofoam or rigid
2 lightweight cellular polystyrene, and tires; and

3 (c) By January 1, 2002, construction, demolition, and land-clearing
4 debris, manure, and major food-processing wastes.

5 **Sec. 9.** RCW 43.19.1905 and 1995 c 269 s 1402 are each amended to
6 read as follows:

7 The director of general administration shall establish overall
8 state policy for compliance by all state agencies, including
9 educational institutions, regarding the following purchasing and
10 material control functions:

11 (1) Development of a state commodity coding system, including
12 common stock numbers for items maintained in stores for reissue;

13 (2) Determination where consolidations, closures, or additions of
14 stores operated by state agencies and educational institutions should
15 be initiated;

16 (3) Institution of standard criteria for determination of when and
17 where an item in the state supply system should be stocked;

18 (4) Establishment of stock levels to be maintained in state stores,
19 and formulation of standards for replenishment of stock;

20 (5) Formulation of an overall distribution and redistribution
21 system for stock items which establishes sources of supply support for
22 all agencies, including interagency supply support;

23 (6) Determination of what function data processing equipment,
24 including remote terminals, shall perform in state-wide purchasing and
25 material control for improvement of service and promotion of economy;

26 (7) Standardization of records and forms used state-wide for supply
27 system activities involving purchasing, receiving, inspecting, storing,
28 requisitioning, and issuing functions, including a standard
29 notification form for state agencies to report cost-effective direct
30 purchases, which shall at least identify the price of the goods as
31 available through the division of purchasing, the price of the goods as
32 available from the alternative source, the total savings, and the
33 signature of the notifying agency's director or the director's
34 designee;

35 (8) Screening of supplies, material, and equipment excess to the
36 requirements of one agency for overall state need before sale as
37 surplus;

1 (9) Establishment of warehouse operation and storage standards to
2 achieve uniform, effective, and economical stores operations;

3 (10) Establishment of time limit standards for the issuing of
4 material in store and for processing requisitions requiring purchase;

5 (11) Formulation of criteria for determining when centralized
6 rather than decentralized purchasing shall be used to obtain maximum
7 benefit of volume buying of identical or similar items, including
8 procurement from federal supply sources;

9 (12) Development of criteria for use of leased, rather than state
10 owned, warehouse space based on relative cost and accessibility;

11 (13) Institution of standard criteria for purchase and placement of
12 state furnished materials, carpeting, furniture, fixtures, and nonfixed
13 equipment, in newly constructed or renovated state buildings;

14 (14) Determination of how transportation costs incurred by the
15 state for materials, supplies, services, and equipment can be reduced
16 by improved freight and traffic coordination and control;

17 (15) Establishment of a formal certification program for state
18 employees who are authorized to perform purchasing functions as agents
19 for the state under the provisions of chapter 43.19 RCW;

20 (16) Development of performance measures for the reduction of total
21 overall expense for material, supplies, equipment, and services used
22 each biennium by the state;

23 (17) Establishment of a standard system for all state organizations
24 to record and report dollar savings and cost avoidance which are
25 attributable to the establishment and implementation of improved
26 purchasing and material control procedures;

27 (18) Development of procedures for mutual and voluntary cooperation
28 between state agencies, including educational institutions, and
29 political subdivisions for exchange of purchasing and material control
30 services;

31 (19) Resolution of all other purchasing and material matters which
32 require the establishment of overall state-wide policy for effective
33 and economical supply management;

34 (20) Development of guidelines and criteria for the purchase of
35 vehicles, alternate vehicle fuels and systems, equipment, and materials
36 that reduce overall energy-related costs and energy use by the state,
37 including the requirement that new passenger vehicles purchased by the
38 state meet the minimum standards for passenger automobile fuel economy

1 established by the United States secretary of transportation pursuant
2 to the energy policy and conservation act (15 U.S.C. Sec. 2002);
3 (21) Development of goals for state use of recycled and
4 environmentally preferable products through specifications for products
5 and services, processes for requests for proposals and requests for
6 qualifications, contractor selection, and contract negotiations."

7 Correct the title.

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