

# HOUSE BILL REPORT

## ESSB 6715

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### As Passed House - Amended:

March 3, 2000

**Title:** An act relating to recycling and waste reduction.

**Brief Description:** Encouraging recycling and waste reduction.

**Sponsors:** Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Eide, Swecker, Fraser, Costa, Rasmussen, Morton, Patterson, Kline, Jacobsen and Kohl-Welles).

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 2/22/00, 2/25/00 [DPA].

#### Floor Activity:

Passed House - Amended: 3/3/00, 98-0.

### Brief Summary of Engrossed Substitute Bill (As Amended by House Committee)

- Provides incentives for solid waste collection companies to increase recycling.
- Encourages the elimination of yard debris in landfills.
- Encourages the management of construction job waste.

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## HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

**Staff:** Carol (786-7114).

### Background:

The Legislature adopted the Waste Not Washington Act in 1989 (ESHB 1671). The top priorities in the act were established as waste reduction and recycling of source-separated materials. The law also set a goal of recycling 50 percent of the municipal solid waste stream by 1995. The recycling rate reached a high of 39 percent in 1996, but dropped to 32.4 percent the following year.

The Recycling Assessment Panel was convened by the Department of Ecology in September 1999 to assess the reasons for the drop in recycling, and to examine and recommend ways to increase recycling. The panel included members of the Legislature, citizens, and representatives of local government, recyclers, and the Department of Ecology. The panel provided recommendations in a report to the Legislature in December 1999. Among the report's findings was an estimate that 40 percent of the municipal solid waste stream on a national basis is made up of building-related construction and demolition debris.

The Utilities and Transportation Commission (UTC) sets rates for solid waste collection companies. These rates cover all costs of service and a guaranteed rate of return. Currently, 100 percent of the proceeds from the sale of recycled materials is passed back to the residential customers served by the company.

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### **Summary of Amended Bill:**

The Department of General Administration is directed to work with the construction industry in developing guidelines for job-site waste management planning.

Recycled content product standards are expanded to include building products and materials and strawboard, that has as an ingredient, straw that is the by-product of cereal grain, turf, or grass seed production.

If a construction project receives state funding, any recycled content products used in the project must adhere to the state's product standards.

The UTC is required to authorize residential solid waste collection companies to retain 30 percent of the revenues from the sale of recycled materials. This incentive only applies when the solid waste collection companies submit a plan to the UTC that demonstrates how the revenues will be used to increase recycling. Additional accountability measures are provided to ensure that the additional revenues received by the collection companies are being used to increase recycling: a company must provide a yearly report showing that the company's plan has been successful at increasing recycling as demonstrated by actual recycling tonnage increases, or decreases in landfill disposal, or some other measure agreed to by the local jurisdiction. A termination date for this section of December 31, 2006 is provided.

The deadline for meeting the state's 50 percent recycling goal is extended to 2005, and a new goal is provided of establishing programs to eliminate yard debris in landfills by 2010. Yard debris is defined.

Local governments are authorized to establish residential collection rate structures that provide economic incentives for waste reduction and increased recycling rates. If adopted in a solid waste comprehensive plan, local governments must also adopt ordinances to implement the rate structures, and the UTC may issue rules to implement this section.

The evaluation of the solid waste stream is expanded to include construction, demolition, and land clearing debris, and major organics.

The department of general administration is required to develop goals for the use by the state of recycled and environmentally preferred products.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** UTC should be directed to allow recycling incentive rates. Community Trade and Economic Development should put more resources into marketing recycled content products with an emphasis on reverse logistics. The ban on yard waste and the penalties for failure to report are important parts of the bill. A provision should be added for collaborative, non-mandatory product stewardship. Requiring job-site recycling for state-funded construction projects should be supported by standardized forms and training.

**Testimony Against:** None.

**Testified:** Senator Eide, prime sponsor; Senator Swecker; Jeff Kelley-Clarke, State Solid Waste Advisory Committee; Janet Nazy, Washington State Recycling Association; Pete Grogan, Weyerhaeuser; Penny Mabie, city of Olympia; Jenny Bagby, Seattle Public Utilities; Jim Sells, Washington Refuse and Recycling Association; Willy O'Neil, Associated General Contractors.