
HOUSE BILL 2939

State of Washington

56th Legislature

2000 Regular Session

By Representatives Linville and G. Chandler

Read first time 01/24/2000. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to recycling and waste reduction; amending RCW
2 70.95.010, 70.95.090, and 70.95.290; and adding a new section to
3 chapter 81.77 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 81.77 RCW
6 to read as follows:

7 (1) The commission shall allow solid waste collection companies
8 collecting recyclable materials to retain up to thirty percent of the
9 revenue paid to the companies for the material if the companies submit
10 a plan to the commission that is certified by the appropriate local
11 government authority as being consistent with the local government
12 solid waste plan and that demonstrates how the revenues will be used to
13 increase recycling. The remaining seventy percent of the revenue shall
14 be passed to residential customers served throughout the state.

15 (2) By December 2, 2003, the commission shall provide a report to
16 the legislature that evaluates:

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

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

1 **Sec. 2.** RCW 70.95.010 and 1989 c 431 s 1 are each amended to read
2 as follows:

3 The legislature finds:

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

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

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

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

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

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

31 (b) It is the responsibility of state, county, and city governments
32 to provide for a waste management infrastructure to fully implement
33 waste reduction and source separation strategies and to process and
34 dispose of remaining wastes in a manner that is environmentally safe
35 and economically sound. It is further the responsibility of state,
36 county, and city governments to monitor the cost-effectiveness and
37 environmental safety of combusting separated waste, processing mixed
38 waste, and recycling programs.

1 (c) It is the responsibility of county and city governments to
2 assume primary responsibility for solid waste management and to develop
3 and implement aggressive and effective waste reduction and source
4 separation strategies.

5 (d) It is the responsibility of state government to ensure that
6 local governments are providing adequate source reduction and
7 separation opportunities and incentives to all, including persons in
8 both rural and urban areas, and nonresidential waste generators such as
9 commercial, industrial, and institutional entities, recognizing the
10 need to provide flexibility to accommodate differing population
11 densities, distances to and availability of recycling markets, and
12 collection and disposal costs in each community; and to provide county
13 and city governments with adequate technical resources to accomplish
14 this responsibility.

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

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

22 (a) Waste reduction;

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

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

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

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

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

31 (11) It is necessary to compile and maintain adequate data on the
32 types and quantities of solid waste that are being generated and to
33 monitor how the various types of solid waste are being managed.

34 (12) Vehicle batteries should be recycled and the disposal of
35 vehicle batteries into landfills or incinerators should be
36 discontinued.

37 (13) Excessive and nonrecyclable packaging of products should be
38 avoided.

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

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

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

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

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

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

24 **Sec. 3.** RCW 70.95.090 and 1991 c 298 s 3 are each amended to read
25 as follows:

26 Each county and city comprehensive solid waste management plan
27 shall include the following:

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

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

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

36 (a) Meet the minimum functional standards for solid waste handling
37 adopted by the department and all laws and regulations relating to air

1 and water pollution, fire prevention, flood control, and protection of
2 public health;

3 (b) Take into account the comprehensive land use plan of each
4 jurisdiction;

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

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

9 (4) A program for surveillance and control.

10 (5) A current inventory and description of solid waste collection
11 needs and operations within each respective jurisdiction which shall
12 include:

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

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

19 (c) The population density of each area serviced by a city
20 operation or by a franchised operation within the respective
21 jurisdictions;

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

24 (6) A comprehensive waste reduction and recycling element that, in
25 accordance with the priorities established in RCW 70.95.010, provides
26 programs that (a) reduce the amount of waste generated, (b) provide
27 incentives and mechanisms for source separation, and (c) establish
28 recycling opportunities for the source separated waste.

29 (7) The waste reduction and recycling element shall include the
30 following:

31 (a) Waste reduction strategies;

32 (b) Source separation strategies, including:

33 (i) Programs for the collection of source separated materials from
34 residences in urban and rural areas. In urban areas, these programs
35 shall include collection of source separated recyclable materials from
36 single and multiple family residences, unless the department approves
37 an alternative program, according to the criteria in the planning
38 guidelines. Such criteria shall include: Anticipated recovery rates
39 and levels of public participation, availability of environmentally

1 sound disposal capacity, access to markets for recyclable materials,
2 unreasonable cost impacts on the ratepayer over the six-year planning
3 period, utilization of environmentally sound waste reduction and
4 recycling technologies, and other factors as appropriate. In rural
5 areas, these programs shall include but not be limited to drop-off
6 boxes, buy-back centers, or a combination of both, at each solid waste
7 transfer, processing, or disposal site, or at locations convenient to
8 the residents of the county. The drop-off boxes and buy-back centers
9 may be owned or operated by public, nonprofit, or private persons;

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

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

17 (iv) Programs to educate and promote the concepts of waste
18 reduction and recycling;

19 (c) Recycling strategies, including a description of markets for
20 recyclables, a review of waste generation trends, a description of
21 waste composition, a discussion and description of existing programs
22 and any additional programs needed to assist public and private sector
23 recycling, and an implementation schedule for the designation of
24 specific materials to be collected for recycling, and for the provision
25 of recycling collection services;

26 (d) Establishment of residential collection rate structures that
27 provide economic incentives for customers to reduce their level of
28 solid waste collection service and encourage participation in waste
29 reduction, recycling, and yard waste collection programs. All
30 jurisdictions that are signatories to comprehensive solid waste
31 management plans shall adopt ordinances to implement rate structures
32 that are consistent with the guidelines in the comprehensive plans; and

33 (e) Other information the county or city submitting the plan
34 determines is necessary.

35 (8) An assessment of the plan's impact on the costs of solid waste
36 collection. The assessment shall be prepared in conformance with
37 guidelines established by the utilities and transportation commission.
38 The commission shall cooperate with the Washington state association of

1 counties and the association of Washington cities in establishing such
2 guidelines.

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

5 **Sec. 4.** RCW 70.95.290 and 1988 c 184 s 3 are each amended to read
6 as follows:

7 (1) The evaluation of the solid waste stream required in RCW
8 70.95.280 shall include the following elements:

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

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

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

19 (2) The department shall give priority to evaluating categories of
20 solid waste that, in relation to other categories of solid waste,
21 comprise a large volume of the solid waste stream or present a high
22 potential of harm to human health. At a minimum the following
23 categories of waste shall be evaluated:

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

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

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

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