

**SB 5788-S.E - DIGEST**

(DIGEST AS ENACTED)

Declares an intent to improve recycling, eliminate illegal disposal of recyclable materials, protect consumers from sham recycling, and to further the purposes of RCW 70.95.020 and the goal of consistency in jurisdictional treatment of the statewide solid waste management plan adopted by the department of ecology.

Declares that for the purposes of this act, "transporter" means any person or entity that transports recyclable materials from commercial or industrial generators over the public highways of the state of Washington for compensation, and who are required to possess a permit to operate from the Washington utilities and transportation commission under chapter 81.80 RCW. "Transporter" includes commercial recycling operations of certificated solid waste collection companies as provided in chapter 81.77 RCW.

Requires all transporters to register with the department prior to the transportation of recyclable materials. The department shall supply forms for registration.

Provides that a transporter who transports recyclable materials within the state without a transporter registration required by this act is subject to a civil penalty in an amount up to one thousand dollars per violation.

Provides that a transporter may not deliver any recyclable materials to a transfer station or landfill for disposal.

Provides that any person damaged by a violation of this act may bring a civil action for such a violation by seeking either injunctive relief or damages, or both, in the superior court of the county in which the violation took place or in Thurston county. The prevailing party in such an action is entitled to reasonable costs and attorneys' fees, including those on appeal.

Requires each facility that recycles solid waste, except those facilities with a current solid waste handling permit issued under RCW 70.95.170, to prepare and submit an annual report to the department and the jurisdictional health department by April 1st on forms supplied by the department.