

SENATE BILL REPORT

SB 5806

As of February 23, 2009

Title: An act relating to solid waste.

Brief Description: Concerning solid waste for the purposes of defining a renewable resource.

Sponsors: Senators Jarrett, Holmquist, Benton, King, Marr and Kline.

Brief History:

Committee Activity: Environment, Water & Energy: 2/20/09.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: William Bridges (786-7416)

Background: Initiative 937. Approved by voters in 2006, the Energy Independence Act, also known as Initiative 937, requires electric utilities with 25,000 or more customers to meet targets for energy conservation and for using eligible renewable resources.

Eligible Renewable Resource Under Initiative 937. Under the Initiative, an "eligible renewable resource" includes electricity generated from wind; solar; geothermal energy; landfill and sewage gas; wave and tidal power; and certain biomass and biodiesel fuels. In addition, the generating facility must have commenced operation after March 31, 1999, and it must be located in the Pacific Northwest. "Municipal solid waste" is not an eligible renewable resource.

Source Separated Solid Waste. Under the solid waste management laws, "solid waste" includes garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. "Source separation" means the separation of different kinds of waste at the place where the waste originates.

Burning Solid Waste to Generate Electricity. Under the solid waste management laws, a county or city may generate electricity from solid waste subject to air quality permitting. No county is doing so, but the city of Spokane has been generating electricity from solid waste since 1991.

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Summary of Bill: Electricity generated from source-separated nonrecyclable solid waste in a facility located in the Pacific Northwest, which commenced operation after March 31, 1999, is an eligible renewable resource under Initiative 937.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Modern incinerators that burn municipal waste are used in Germany to provide environmentally-friendly and sustainable energy. It is a technology that is supported by the Green Party in Germany, and Washington needs to provide incentives to bring this technology here. King County is contemplating what to do after its Cedar Hills landfill closes between 2016 and 2022, and "advanced thermal reclamation" may be the answer. The technology is compatible with recycling and it meets or exceeds all clean air standards. A recent article in the *Journal of Environmental Science and Technology* concluded that waste-to-energy projects were better at producing electricity and reducing greenhouse gases than landfill-gas-to-energy projects. The use of advanced incinerators has helped Germany meet its Kyoto Accord targets and Germany uses the ash as a road base.

OTHER: If the category of eligible renewable resources under I-937 is expanded, then there should be a commensurate increase in the renewable acquisition standards. Solid waste incinerators produce toxic emissions and ashes so the technology should be viewed with caution. Burning municipal solid waste may create a disincentive for recycling.

Persons Testifying: PRO: Senator Jarrett, prime sponsor; Douglas Gilmore, Waste Recovery Seattle International; Kim Hoff, Puget Sound Electricity; Russ Menke, Tom Parker, city of Spokane; Grace Reamer, staff, Kathy Lambert, member, King County Council.

OTHER: Carrie Dolwick, NW Energy Coalition; Suellen Mele, Washington Citizens for Resource Conservation.