
Environment & Energy Committee

E2SSB 5397

Brief Description: Concerning the responsible management of plastic packaging.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Carlyle, Darneille, Saldaña, Hasegawa, Hunt and Kuderer).

Brief Summary of Engrossed Second Substitute Bill

- Requires the Department of Ecology to submit a report to the Legislature by October 2020 based on an independent, third-party evaluation and assessment of plastic packaging sold into Washington and of the management and disposal of plastic packaging.

Hearing Date: 3/18/19

Staff: Jacob Lipson (786-7196).

Background:

Under the state's solid waste management laws, local governments are the primary government entity responsible for implementing state solid waste management requirements. The Department of Ecology (ECY) is responsible for working cooperatively with local governments as they develop their local solid waste management plans. County and city comprehensive solid waste management plans must contain certain elements, including a waste reduction and recycling element that includes waste reduction strategies, recycling strategies, and source separation strategies. Cities and counties determine which materials may be accepted for curbside recycling in each jurisdiction, and whether collected recyclable materials are collected in comingled containers or containers that separate materials based on type or source.

Facilities that manage, generate, store, or otherwise handle solid wastes are required to obtain a solid waste permit from the local jurisdictional health department, which are reviewed by the ECY. All transporters of recyclable materials must register with the ECY. The Utilities and Transportation Commission (UTC) regulates haulers transporting solid waste, garbage, and

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recyclables from residential sites. The certificate to transport garbage and recyclables sets the geographic areas in which the company is authorized to collect waste. Cities and towns have the authority to provide their own solid waste services or to contract for solid waste services. Solid waste services provided or contracted by cities and towns are not subject to UTC regulation. Materials collected for recycling are transported to material recovery facilities, which receive, compact, repackage or sort materials for the purposes of recycling.

Washington has established product stewardship programs for electronic products, pharmaceuticals, photovoltaic solar panels, and light bulbs that contain mercury (such as compact fluorescent lights). These product stewardship programs require producers to participate in a stewardship organization or program that is responsible for the collection, transport, and end-of-life management of covered products.

Summary of Bill:

The Department of Ecology (ECY) must evaluate the amount and types of packaging sold into Washington and the management and disposal of plastic packaging. By October 31, 2020, the ECY must submit a report to the Legislature that includes an assessment, compilation, or review of specified factors, including:

- the amounts and types of plastic packaging coming into Washington by category;
- the full cost of managing plastic packaging waste;
- the final disposition of plastic packaging;
- costs or savings to stakeholders in existing product stewardship programs, including specific plastic packaging management costs;
- infrastructure necessary to manage plastic packaging;
- contamination and sorting issues;
- existing organizations and databases that could be used to develop a plastic packaging management program;
- programs currently managing plastic packaging in Washington;
- existing studies on final disposition of plastic packaging and material recovery facility residual composition; and
- industry and other efforts and innovations related to plastic packaging.

The ECY must contract with an independent, third-party consultant to complete the evaluation and assessment. The ECY's report to the Legislature on the evaluation and assessment must include findings regarding the amount and types of plastic packaging and recommendations to meet plastic packaging reduction goals through industry-lead or product stewardship programs. The report must include goals of achieving by January 1, 2025: 100 percent of plastic packaging that is reusable, recycling, or compostable, and 20 percent postconsumer recycled content in plastic packaging. The report must also include recommendations to reduce plastic packaging when possible, and provide options for Legislative consideration to achieve plastic packaging reduction goals that could be established and implemented by January 1, 2022.

A variety of legislative findings are codified, including requiring plastic packaging producers to consider the design and management of packaging to minimize environmental impacts.

Appropriation: None.

Fiscal Note: Requested on March 11, 2019.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.