
Ecology & Parks Committee

HB 2539

Brief Description: Optimizing the collection of source separated materials.

Sponsors: Representative Upthegrove.

Brief Summary of Bill

- Requires each local comprehensive solid waste management plan to be reviewed and revised within five years of July 1, 2011, and reviewed every subsequent five years.
- Requires certain counties to provide collection of source separated recyclable materials and products, organic materials, and wastes from single and multiple family residences in urban areas.
- Exempts certain counties from mandatory participation in source separation and collection services.
- Allows single-family residences to opt out of curbside collection service in counties that are required to provide the service.
- Requires each local comprehensive solid waste management plan to have a financial assistance program for low-income customers.
- Allows solid waste collection companies collecting recyclable materials to retain up to 50 percent of the revenue paid to the companies for the recyclable material.

Hearing Date: 1/15/10

Staff: Jaclyn Ford (786-7339).

Background:

Local governments are required prepare a coordinated, comprehensive solid waste management plan that can be integrated into the comprehensive county plan. Each solid waste plan must include a waste reduction and recycling element. The waste reduction and recycling element of each local comprehensive solid waste management plan includes the levels of service for both

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urban and rural areas; the counties and cities determine which areas should be designated as urban or rural.

Each solid waste management plan is submitted to the Department of Ecology (DOE) for approval. The DOE then provides the Utilities and Transportation Commission (UTC) with a copy of the plan. The UTC reviews the plan's assessment of the cost of solid waste collection and its impacts on rates charged by regulated solid waste collection companies, and provides advice on the probable effects of the plan's recommendations. Both the DOE and UTC must provide technical assistance when necessary.

Once approved, each solid waste management plan must be maintained in a current condition and reviewed and revised periodically.

Summary of Bill:

In the comprehensive solid waste management plan, each county within the state must plan for solid waste and materials reduction, collection, handling and management services. The objective of local comprehensive plans is to ensure the following required handling methods or services occur:

- source separation of recyclable materials and products, organic materials, and wastes by generators;
- collection of source separated materials;
- handling and proper preparation of materials for reuse or recycling;
- handling and proper preparation of organic materials for composting or anaerobic digestion; and
- handling and proper disposal of nonrecyclable wastes.

In addition, each plan must identify methods used to address:

- construction and demolition waste for recycling or reuse;
- organic material, including yard debris, food waste, and food contaminated paper products, for composting or anaerobic digestion;
- recoverable paper products for recycling;
- container metals and plastics for recycling; and
- waste reduction strategies.

The comprehensive waste reduction and recycling element in each plan must provide programs that: (1) reduce the amount of waste generated; (2) offer source separation; and (3) establish reuse and recycling opportunities for the source separated recyclable materials and organic materials.

In certain counties, the waste reduction and recycling element must also include source separation strategies that provide a program for the collection of source separated materials from residences in urban and rural areas. In urban areas, these programs must include collection of source separated recyclable materials and products, organic materials, and wastes from single and multiple family residences. However, the DOE may approve a less comprehensive program in designated subareas of a county in which recycling, waste, and organic material collection would be impractical. After seeking input from citizens and stakeholders, affected counties must provide the DOE with sufficient evidence that each specific subarea would have either: (1)

unreasonable cost impacts on the ratepayer over the six-year planning period; or (2) inaccessible service areas.

Each local comprehensive solid waste management plan must be reviewed and revised within five years of July 1, 2011, and reviewed every subsequent five years. In addition, the local comprehensive solid waste management plan must include a description of collection services for all contiguous incorporated and unincorporated areas with a population density of 333 persons per square mile.

The updated plans are due on the following dates:

- July 1, 2012, for the counties of Clark, King, Kitsap, Pierce, Snohomish, and Spokane and all the cities therein;
- July 1, 2013, for the counties of Benton, Franklin, Walla Walla, and Yakima and all the cities therein;
- July 1, 2014, for the counties of Cowlitz, Grays Harbor, Island, Lewis, Mason, Skagit, Thurston, and Whatcom and all the cities therein; and
- July 1, 2015, for the counties of Chelan, Clallam, and Grant and all the cities therein.

In those counties required to update their local comprehensive solid waste management plan to include source separation and collection services, the plan must also include a program allowing an individual single-family residence to opt out of all curbside collection services. The program must inform the residence that opting out of curbside collection service includes opting out of all three collection services, including recycling, organic, and solid waste collection.

In addition, the plan for those counties must also include a financial assistance program for services provided to low-income customers. "Low-income" means a single person, family, or unrelated persons living together whose household adjusted income is less than 50 percent of the median family income, adjusted for household size, for the county where the services are provided. Upon request by a solid waste collection company, or other party to a general rate case hearing, the UTC may approve rates, charges, or services at a discount for low-income senior customers and low-income customers. Expenses and lost revenues as a result of these discounts must be included in the company's cost of service and recovered in rates to other customers.

Participation in source separation and collection services is optional for:

- the counties of Adams, Asotin, Douglas, Ferry, Garfield, Jefferson, Kittitas, Klickitat, Whitman, Lincoln, Pacific, Pend Oreille, Okanogan, Columbia, San Juan, Skamania, Stevens, and Wahkiakum, although this does not exempt these planning jurisdictions from reviewing and updating as necessary their plans at least every five years; and
- any city with a population of 1,500 or less that is only bordered by an unincorporated area of a county within the counties required to write plan updates.

The UTC must allow solid waste collection companies collecting recyclable materials to retain up to 50 percent of the revenue paid to the companies for the recyclable material, if the companies submit a plan to the UTC that is certified by the appropriate local government authority as being consistent with the local government solid waste plan and that plan demonstrates how those revenues will be used to increase recycling.

Appropriation: None.

Fiscal Note: Requested on January 5, 2010.

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