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**SENATE BILL 5480**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators King, Hobbs, Miloscia, Rivers, Sheldon, Baumgartner, Ericksen, Liias, and Rolfes

AN ACT Relating to establishing a priority for the use, reuse, and recycling of construction aggregate and recycled concrete materials in Washington; adding a new section to chapter 70.95 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  (1) The legislature finds that the Washington state highway system is extensive, with over one hundred seventy-five thousand miles of public, city, county, and state highway pavements and over eight thousand seven hundred built structures, built using large quantities of construction aggregates, asphalt, concrete, steel, and cement. Much of our transportation and infrastructure system is in need of major rehabilitation or total reconstruction. These natural resource construction materials used to build our existing system are too valuable to be wasted and landfilled. Some of the best natural construction materials produced in Washington state are already in use for highways, bridges, and building construction. Effective and responsible recycling is an effective life-cycle strategy to reuse these construction materials in the construction of new state and local transportation and infrastructure projects as well as to repair, reconstruct, and maintain them.

(2) The legislature also finds that the recycling of aggregates and other transportation construction materials makes sound economic, environmental, and engineering sense and is in keeping with meeting Washington state's greenhouse gas reduction priorities. The economic benefits from the reuse and recycling of these valuable, finite, and nonrenewable materials can be very effective in reducing the cost of designing, engineering, and construction of new transportation projects and will make greater use of limited state and local transportation funds for additional highway construction, rehabilitation, preservation, or maintenance projects.

(3) The legislature further finds that the reuse of construction aggregate and recycled concrete materials into new transportation and infrastructure structure projects is known to:

(a) Promote the conservation and protection of permitted and unpermitted construction aggregate resources;

(b) Reduce the need for the consumption of new construction aggregate materials;

(c) Encourage the reuse and recycling of currently classified waste materials and discourage landfilling of valuable natural resources;

(d) Reduce waste, preserve finite landfill space, and reduce illegal dumping by encouraging reuse and recycling through sound and practical environmental best management and handling practices;

(e) Reduce truck trips and related transportation emissions;

(f) Reduce greenhouse gases related to the construction of new transportation projects, reduce embodied energy, and improve and advance the sustainable principles and practices of Washington state and our transportation system;

(g) Reduce project material and construction costs for state and local level projects; and

(h) Be consistent with the governor's executive order No. 13-04 (September 2013), the state department of transportation sustainability executive order No. E1082.00 (August 2012), and presidential executive order No. 13423 (January 2007).

NEW SECTION. **Sec.**  A new section is added to chapter 70.95 RCW to read as follows:

(1) The department of transportation, Washington state construction associations, and local governmental entities must develop and establish criteria and incentives for the reuse and recycling of construction aggregate and recycled concrete materials.

(2)(a) Except as provided in (c) of this subsection, the department of transportation, Washington state construction associations, and local governmental entities must adopt a goal and strategy to recycle seventy percent of construction aggregate and recycled concrete materials and related construction materials in state and local transportation and infrastructure projects by 2020.

(b) Beginning January 2016, Washington state roadway, street, highway, and infrastructure projects must use a minimum of twenty-five percent construction aggregate and recycled concrete materials and related construction materials and increase the use of such materials as indicated in (a) of this subsection by a minimum of nine percent each year through 2020.

(c) Any local governmental entity in a county with a population of less than one hundred thousand must adopt department of transportation recycling standards as outlined in subsection (3) of this section, review and determine the capacity for recycling in its jurisdiction, and establish recycling strategies to reuse construction aggregate and recycled concrete materials and related construction materials for roadway, street, highway, and infrastructure projects in its jurisdiction.

(d) Beginning January 2016, and until January 2020, the department of transportation, state construction associations, and local governmental entities must report to the legislature in January of each year on the progress of meeting the 2020 recycling objective.

(3) By January 1, 2016, a local governmental entity that has jurisdiction over a public works transportation or infrastructure project must adopt the standards as developed by the department of transportation for the use of recycled materials as shown in the department's standard specifications for road, bridge, and municipal construction, section 9-03.21, table 9-03.21(1)E.

(4) For purposes of this section, "construction aggregate and recycled concrete materials" means reclaimed coarse and fine aggregate cement and concrete mixtures as commonly defined by the American public works association, the federal highway administration, and department of transportation specifications.

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