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HOUSE BILL 2272

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State of Washington

53rd Legislature

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By Representatives L. Johnson, Horn, Rust, Linville, Hansen, Cothorn, Karahalios, Foreman and Kremen

Read first time 01/12/94. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to transportation of recovered materials; and  
2 amending RCW 81.80.440.

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

4 **Sec. 1.** RCW 81.80.440 and 1991 c 148 s 1 are each amended to read  
5 as follows:

6 (1) It is unlawful for a motor vehicle transporting recovered  
7 materials to perform a transportation service for compensation upon the  
8 public highways of this state without first having received a permit  
9 from the commission. The permits shall be granted upon a finding that  
10 the motor carrier is fit, willing, and able to provide transportation  
11 of recovered materials, and upon payment of the appropriate filing fee  
12 authorized by this chapter and for any other applications for operating  
13 authority(~~(, including payment of the annual regulatory fee imposed by~~  
14 ~~RCW 81.80.320)~~). The carriers are subject to the safety of operations  
15 and insurance requirements of the commission, but are not subject to  
16 rate regulation by the commission.

17 (2) The provisions of this section apply to motor vehicles when:

18 (a) Transporting recovered materials for a person from ~~((one or~~  
19 ~~more sites generating ten thousand or more tons of recovered materials~~

1 ~~per year~~) the site of generation to a reprocessing facility or an end-  
2 use manufacturing site;

3 (b) Transporting recovered materials from a reprocessing facility  
4 to another reprocessing facility or to an end-use manufacturing site;  
5 or

6 (c) Transporting recovered mixed waste paper from a reprocessing  
7 facility to an energy recovery facility.

8 (3) For the purposes of this section, the following definitions  
9 shall apply:

10 (a) "Recovered materials" means those commodities collected for  
11 recycling or reuse, such as papers, glass, plastics, used wood  
12 collected from a construction or demolition site, metals, food waste,  
13 yard waste, biosolids, used oil, and tires, that if not collected for  
14 recycling would otherwise be destined for disposal or incineration.  
15 Except as specifically provided for in this section, "recovered  
16 materials" shall not include any wood waste or wood byproduct generated  
17 from a logging, milling, or chipping activity;

18 (b) "Reprocessing facility" means a business registered under  
19 chapter 82.32 RCW or a nonprofit corporation identified under chapter  
20 24.03 RCW that accepts or purchases recovered materials and prepares  
21 those materials for resale;

22 (c) "Mixed waste paper" means assorted low-value grades of paper  
23 that have not been separated into individual grades of paper at the  
24 point of collection; ((and))

25 (d) "Energy recovery facility" means a facility designed to burn  
26 mixed waste paper as a fuel, except that such term does not include  
27 mass burn incinerators; and

28 (e) "Biosolids" has the same meaning as provided in RCW 70.95J.010.

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