

# SENATE BILL REPORT

## SB 6715

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As Reported By Senate Committee On:  
Environmental Quality & Water Resources, February 4, 2000

**Title:** An act relating to recycling and waste reduction.

**Brief Description:** Encouraging recycling and waste reduction.

**Sponsors:** Senators Eide, Swecker, Fraser, Costa, Rasmussen, Morton, Patterson, Kline, Jacobsen and Kohl-Welles.

**Brief History:**

**Committee Activity:** Environmental Quality & Water Resources: 2/1/2000, 2/4/2000 [DPS].

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### SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

**Majority Report:** That Substitute Senate Bill No. 6715 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Jacobsen, McAuliffe and Swecker.

**Minority Report:** Do not pass.

Signed by Senators Honeyford and Morton.

**Staff:** Richard Ramsey (786-7412)

**Background:** The Waste Not Washington Act of 1989 established a policy framework for waste reduction, reuse and recycling that included setting a goal for the state to recycle 50 percent by 1995, expansion of local government solid waste planning, conduct of a waste characterization survey, reporting requirements, and regulation of solid waste collection companies.

The Utilities and Transportation Commission (UTC) sets rates for solid waste collection companies. These rates cover all costs of service and a guaranteed rate of return. Currently, 100 percent of the proceeds from the sale of recycled materials is passed back to the residential customers. However, prior to the mid-1990s, solid waste collection companies bore the risk of marketing recycled materials, retaining revenue from positive sales or covering the costs for losses.

Current law authorizes only the UTC to establish rates for solid waste collection companies. A superior court spoke directly to this issue in *King County v. Eastside Disposal*, prohibiting a local government's attempt to establish incentive rates for recycling.

It is generally accepted that the effectiveness of recycling programs ultimately depends on development of markets for recycled content products. State-funded procurement and

construction may provide a stable base for market development. A present, state recycled content requirements reference EPA recycled content standards.

The state's recycling rate reached a high of 39 percent in 1996 and declined to 33 percent in 1997. The Department of Ecology convened a recycling assessment panel to evaluate causes in the recycling rate decline and to recommend responses. The panel's draft report includes recommendations for legislation.

**Summary of Substitute Bill:** State-funded construction projects must develop on-site construction waste management plans to encourage on-site recycling and use recycled content products. The state's recycled content product standard is expanded to include building materials products and materials and applies to state agencies and post-secondary education institutions.

The UTC is required to authorize residential solid waste collection companies to retain up to 30 percent of the revenues from the sale of recycled materials.

The state's 50 percent recycling goal is extended to 2005 and a new goal is created to eliminate yard waste/debris in landfills by 2010.

Local governments are authorized to set waste reduction and recycling incentive rates. Penalties are established for failure to file the recycling report.

The evaluation of the solid waste stream is expanded to include construction, demolition, and land clearing debris, and major organics (biosolids, manure and food-processing wastes).

**Substitute Bill Compared to Original Bill:** The Department of General Administration must work with the construction industry in developing standardized planning and reporting formats, training and technical assistance for construction job-site recycling for state funded building projects. Post-secondary education institutions are added to state agencies that are required to comply with recycled content product standards. A new section is added to encourage product stewardship among governments, the private sector and consumers. The evaluation of construction, demolition, land-clearing debris and major organics is postponed from 2002 to 2004.

**Appropriation:** None.

**Fiscal Note:** Requested on January 24, 2000.

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

**Testimony For:** UTC should be directed to allow recycling incentive rates. CTED should put more resources into marketing recycled content products with an emphasis on reverse logistics. The ban on yard waste and the penalties for failure to report are important parts of the bill. A provision should be added for collaborative, non-mandatory product stewardship. Requiring job-site recycling for state-funded construction projects should be supported by standardized forms and training.

**Testimony Against:** None.

**Testified:** PRO: Senator Tracey Eide, prime sponsor; Senator Dan Swecker; Jeff Kelley-Clarke, State Solid Waste Advisory Committee; Janet Nazy, Washington State Recycling Association; Pete Grogan, Weyerhaeuser; Penny Mabie, City of Olympia; Jenny Bagby, Seattle Public Utilities; Jim Sells, Washington Refuse and Recycling Association; Willy O'Neil, Associated General Contractors.