

# SENATE BILL REPORT

## SB 5716

---

---

As Reported By Senate Committee On:  
Environment, Energy & Water, February 23, 2001

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

**Brief Description:** Providing guidelines for recycling and waste reduction.

**Sponsors:** Senators Eide, Swecker, Fraser, Kline, Jacobsen, Winsley and Kohl-Welles.

**Brief History:**

**Committee Activity:** Environment, Energy & Water: 2/16/01, 2/23/01 [DPS-WM, DNP].

---

### SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

**Majority Report:** That Substitute Senate Bill No. 5716 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Fraser, Chair; Regala, Vice Chair; Eide, Jacobsen, McDonald and Patterson.

**Minority Report:** Do not pass.

Signed by Senators Hale, Honeyford and Morton.

**Staff:** Genevieve Pisarski (786-7488)

**Background:** The Waste Not Washington Act of 1989 establishes an approach to waste reduction, reuse, and recycling for the state that includes setting a goal to recycle 50 percent by 1995; expanding local government solid waste planning; conducting a waste characterization survey; reporting; and regulating solid waste collection companies.

In 1996, the state's recycling rate reached a high of 39 percent, but declined to 33 percent in 1997. In 1999, the Department of Ecology convened a recycling assessment panel to address the decline and develop recommendations. The panel issued a report in February 2000.

**Summary of Substitute Bill:** The Department of General Administration must work with the construction industry and solid waste collection companies to develop guidelines for managing job site waste and report to the Legislature by December 15, 2001.

The department must develop goals for state use of recycled and environmentally friendly products. The recycled content product standard for building products and materials are added. By July 1, 2002, a product standard for strawboard that uses grain, turf, or grass seed byproduct must be adopted. The state product standards apply to postsecondary education institutions. The standards apply to state funded construction projects, when they are cost effective and readily available.

Everyone is encouraged to learn more and try to do more for product stewardship.

Solid waste collection companies, local governments, and the Utilities and Transportation Commission are encouraged to cooperate on experimental programs for materials and services that will provide incentives to residential recycling. Companies may voluntarily propose an experimental plan. The commission must approve the plan, if the plan is consistent with local solid waste management plans; enhances, supplements, or adds materials to the 2000 household recycling base; the company bears the cost of implementation; and the plan provides for gathering data and working with local government and the commission to evaluate results. The company retains all revenue earned from the experimental plan. The commission must evaluate the results of experimental plans and report to the Legislature by December 31, 2004. These provisions expire December 31, 2005.

The state's 50 percent recycling goal is extended to 2005. A goal is established to eliminate yard debris in landfills by 2010. Local solid waste management plans must include programs to manage yard debris.

A schedule for filing annual recycling reports and penalties for failing to file are established.

By January 1, 2004, construction, demolition, and land clearing debris, electronic waste, manure, and major food processing wastes will be evaluated to determine management methods.

**Substitute Bill Compared to Original Bill:** The requirement that state-funded construction projects must manage job-site waste and report is deleted. Experimental efforts to increase residential recycling do not address rate structures. Authority for local governments to adopt incentive rate structures is deleted. Electronic waste is added to the categories of waste that will be evaluated by 2004. The prohibition against mandatory best management practices is deleted.

**Appropriation:** None.

**Fiscal Note:** Requested on February 1, 2001.

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

**Testimony For:** Authority for local governments to adopt incentive rate structures is not a mandate, but an opportunity that includes open public process, and should be retained. Authority for local governments to adopt incentive rate structures should not be included in its present form; it needs more work. The UTC's cost-of-service model is fair. The local governments' incentive rate structures will not change behavior, only penalize those who generate more waste than can be recycled. Some counties charge a penalty for not-recycling that works within the UTC model. The proposed authority should wait until the industry assimilates new ergonomic requirements that are pending. It would devalue companies' UTC certificates. Companies will have trouble collecting bills. This local government authority is not essential; the proposal will still improve recycling by addressing construction and yard debris. Focus on commercial waste, which is two-thirds of the waste, rather than residential, is appropriate. Electronic waste, which includes toxic and dangerous materials, should be

included for evaluation. Rate structures are not appropriate to be included in the experimental efforts.

**Testimony Against:** So-called "incentives" that make additional cans cost more only cause customers to pack more into one can and cause occupational health problems for collectors. Leave recycling to the market, maybe with a little push from government; most of the cement in the Kingdom was re-used. Adoption of job-site guidelines should be completed, before job-site waste management is required.

**Testified:** Bill Reed, King County (pro); Norm LeMay, LeMay Inc. (con); Willy O'Neil, AGC (con); Michelle Tsalaky, WRRRA (pro w/amend); Jeff Kelly-Clarke, State SWAC (pro w/amend); Eugene Eckhardt, WUTC (pro w/amend).