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**SUBSTITUTE HOUSE BILL 1695**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** House Environment (originally sponsored by Representatives Clibborn, Hayes, Ryu, Kochmar, Senn, Zeiger, Tarleton, Fey, Farrell, Harmsworth, Van Werven, Stanford, Fitzgibbon, Stokesbary, Wylie, Tharinger, Moscoso, Riccelli, and Santos)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to establishing a priority for the use, reuse,  
2 and recycling of construction aggregate and recycled concrete  
3 materials in Washington; adding new sections to chapter 70.95 RCW;  
4 creating a new section; and providing an expiration date.

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

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

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

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

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

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

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

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

25           (e) Reduce truck trips and related transportation emissions;

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

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

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

36           NEW SECTION.   **Sec. 2.** A new section is added to chapter 70.95  
37 RCW to read as follows:

38           (1)(a) The department of transportation and its implementation  
39 partners must collaboratively develop and establish objectives and

1 strategies for the reuse and recycling of construction aggregate and  
2 recycled concrete materials that must include criteria for the  
3 successful and sustainable long-term recycling of construction  
4 aggregate and recycled concrete materials in Washington state  
5 transportation, roadway, street, highway, and other transportation  
6 infrastructure projects.

7 (b) The applications and related specification standards for  
8 state and local transportation and infrastructure projects that reuse  
9 and recycle construction aggregate and recycled concrete materials to  
10 be used in the implementation of this section are outlined in the  
11 department of transportation's standard specifications for road,  
12 bridge, and municipal construction, section 9-03.21, table  
13 9-03.21(1)E.

14 (2) Beginning January 1, 2016:

15 (a)(i) The department of transportation and each local government  
16 entity with greater than one hundred thousand residents must, unless  
17 construction aggregates and recycled concrete materials are not  
18 readily available to the department of transportation or in the  
19 immediate geographic area of a local government entity, specify and  
20 annually use a minimum of twenty-five percent construction aggregate  
21 and recycled concrete materials on their cumulative transportation,  
22 roadway, street, highway, and other transportation infrastructure  
23 projects and increase that percentage by at least five percent each  
24 year through 2020;

25 (ii) The annual increase in the total, cumulative use of  
26 construction aggregate and recycled concrete materials required under  
27 this subsection is intended to assist in meeting the criteria,  
28 objectives, and strategies for successful, sustainable, and long-term  
29 recycling and reuse of construction aggregate and recycled concrete  
30 materials as required in subsection (1) of this section;

31 (b) All local governmental entities with a population less than  
32 one hundred thousand residents or with jurisdiction over a public  
33 works transportation or infrastructure project must adopt the  
34 standard specifications as developed by the department of  
35 transportation for the use of recycled materials as shown in the  
36 department of transportation's standard specifications for road,  
37 bridge, and municipal construction, section 9-03.21, table  
38 9-03.21(1)E; and

39 (c) Any local governmental entity with a population of less than  
40 one hundred thousand residents must:

1 (i) Review and determine the capacity for recycling and reuse of  
2 construction aggregate and recycled concrete materials for roadway,  
3 street, highway, and other transportation infrastructure projects in  
4 its jurisdiction;

5 (ii) Establish practical and applicable strategies to recycle and  
6 reuse construction aggregate and recycled concrete materials for  
7 roadway, street, highway, and other transportation infrastructure  
8 projects in its jurisdiction; and

9 (iii) Upon the completion of the review and strategy development,  
10 begin implementing the strategies to achieve the recycling and reuse  
11 objectives established for its jurisdiction.

12 (3) The definitions in this subsection apply throughout this  
13 section unless the context clearly requires otherwise.

14 (a) "Construction aggregate and recycled concrete materials"  
15 means reclaimed coarse and fine aggregate cement and concrete  
16 mixtures as commonly defined by the American public works  
17 association, the federal highway administration, and department of  
18 transportation specifications.

19 (b) "Implementation partners" means interested local governmental  
20 entities and Washington-based associations representing the  
21 appropriate sectors of the construction industry.

22 (c) "Local government entities" means cities or counties.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95  
24 RCW to read as follows:

25 (1) The department of transportation, together with its  
26 implementation partners, must report annually to the legislature on  
27 the progress of meeting the 2020 recycling objective established in  
28 section 2 of this act. The annual report must be submitted to the  
29 legislature, consistent with RCW 43.01.036, by January 2nd of each  
30 year from 2016 through 2020.

31 (2) This section expires July 1, 2021.

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