H-1877.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE HOUSE BILL 1695**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**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)

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

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 further 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 the state of Washington and its 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)(a) The department of transportation and its implementation partners must collaboratively develop and establish objectives and strategies for the reuse and recycling of construction aggregate and recycled concrete materials that must include criteria for the successful and sustainable long-term recycling of construction aggregate and recycled concrete materials in Washington state transportation, roadway, street, highway, and other transportation infrastructure projects.

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

(2) Beginning January 1, 2016:

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

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

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

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

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

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

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

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

(a) "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.

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

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

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

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

(2) This section expires July 1, 2021.

**--- END ---**