

FINAL BILL REPORT

E2SHB 1543

C 166 L 19
Synopsis as Enacted

Brief Description: Concerning sustainable recycling.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Mead, Doglio, Lekanoff, Peterson, Fey, Appleton, Shewmake, Stanford, Tharinger, Jinkins, Pollet, Slatter, Frame and Davis; by request of Department of Ecology).

House Committee on Environment & Energy
House Committee on Appropriations
Senate Committee on Environment, Energy & Technology
Senate Committee on Ways & Means

Background:

Solid Waste Management.

Under the state's solid waste management laws, local governments are the primary government entity responsible for implementing state solid waste management requirements, although the Department of Ecology (ECY) also has certain roles in overseeing the administration of solid waste management laws. The ECY is responsible for working cooperatively with local governments as they develop their local solid waste management plans. The ECY also develops guidelines to be used by local governments that recommend materials for local government designation as recyclable. In July 2018 the ECY published best management practices for commingled residential recycling.

County and city solid waste management plans are required to contain certain elements, including a waste reduction and recycling element. Counties may apply to the ECY for financial aid for the preparation of county solid waste plans. Cities that prepare independent solid waste management plans may file with the ECY for financial aid as part of their county's financial aid application.

The Utilities and Transportation Commission supervises and regulates private solid waste companies, including reviewing and approving their rates and fees. Cities and towns also sometimes contract for or directly provide solid waste collection services.

Waste Reduction, Recycling, and Litter Control.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Waste Reduction, Recycling, and Litter Control Act (Act), dating to 1971, prohibits littering and establishes statewide programs to prevent and clean up litter, reduce waste, and increase recycling. These programs are funded by the 0.015 percent litter tax on manufacturers', wholesalers', and retailers' gross proceeds on 13 categories of consumer products. The programs funded by the litter tax under the Act include litter collection efforts by state agencies including the ECY, and state assistance of local government waste reduction, composting, and recycling programs.

Fifty percent of money in the Waste Reduction, Recycling, and Litter Control Account (Account) created to carry out the Act is directed towards state litter collection efforts. Thirty percent goes to the ECY to carry out its waste reduction, recycling, litter control, and composting coordination, promotion, and technical assistance activities. Twenty percent is allocated to the ECY to fund local government waste reduction, recycling, litter control, and composting activities. Unspent funds in the Account may pay for a matching fund competitive grant program used by local governments and nonprofit organizations for public education programs.

Summary:

Recycling Development Center.

The Recycling Development Center (Center) is created within the Department of Ecology (ECY) to further the development of markets and processing for recycled commodities and products. Toward these ends, the Center must provide or facilitate research and development, marketing, and policy analysis, and must initially direct its services to businesses that turn waste materials into usable or marketable products. The Center must:

- develop an annual work plan, with an initial focus on developing markets for mixed paper or waste plastic materials;
- make recommendations on state policies to affect recyclable material markets, with consideration of the costs and benefits of those policies;
- work with manufacturers of packaging and other potentially recyclable materials to increase the ability of their products to be recycled or reused;
- undertake or contract for recyclable material market development studies;
- disseminate information;
- provide grants or contracts to public institutions;
- provide business and marketing assistance to public and private sector entities;
- represent Washington in regional and national market development issues;
- work with specified entities involved in solid waste management, research, regulation, or advocacy, as necessary; and
- report to the Legislature every two years regarding the Center's activities and the Center's effects on recycling rates and use of postconsumer materials.

The ECY must enter into an interagency agreement with the Department of Commerce for specified aspects of the Center's activities, including assistance to recycling businesses, outreach to negotiate voluntary agreements with manufacturers to increase their use of recycled materials, and the promotion of manufacturing with recycling materials.

The Center's activities must be guided by an advisory board of up to 15 members, with specified numbers of representatives of cities, counties, public interest groups, research

institutions, the private sector, and the Utilities and Transportation Commission. The ECY provides staff support to the advisory board.

Contamination Reduction Plans.

The ECY must create and implement a statewide recycling contamination reduction and outreach plan based on best management practices for recycling. The plan must be developed with stakeholder input by July 1, 2020. The ECY must also provide technical assistance and guidance to help local jurisdictions understand contamination in their regional recycling, and to develop contamination reduction and outreach plans.

County and city solid waste plans must contain a contamination reduction and outreach plan (contamination plan). Contamination plans must be added to local solid waste plans by amendment or when revising or updating a solid waste plan before July 1, 2021, except for counties with a population of less than 25,000. In lieu of creating their own plan, jurisdictions may adopt the ECY-developed state contamination reduction and outreach plan. Local contamination plans must include a list of actions for reducing contamination in recycling programs, a list of key contaminants identified by the local government or the ECY, a discussion of problem contaminants and their impact, an analysis of costs and other impacts, and an implementation schedule and outreach details, which may include specified types of contamination reduction education.

Counties and cities may apply to the ECY for financial aid for the implementation of local solid waste management plans, including contamination plans.

Waste Reduction, Recycling, and Litter Control Account.

Forty percent, rather than 50 percent, of the Waste Reduction, Recycling, and Litter Control Account (Account) is directed toward state litter collection efforts. Employment of youth in litter cleanup is added as an authorized use of this portion of the Account. Forty percent, rather than 30 percent, is directed to the ECY to carry out its waste reduction, recycling, litter control, and composting coordination, promotion, and technical assistance activities. These activities will include direct technical assistance to businesses to increase recycling markets rather than being limited to providing technical assistance to local governments for commercial recycling programs. Leftover funds within the 20 percent of the Account used for local government programs may be used for matching fund competitive grant programs for developing and implementing contamination reduction plans under local solid waste plans.

Votes on Final Passage:

House	64	32	
Senate	34	14	(Senate amended)
House	61	33	(House concurred)

Effective: July 1, 2019